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Sixty-second session
Third Committee
Agenda item 63
Advancement of women

Indonesia and Philippines: draft resolution

Violence against women migrant workers

The General Assembly,

Recalling all of its previous resolutions on violence against women migrant workers and those adopted by the Commission on the Status of Women, the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice, and the Declaration on the Elimination of Violence against Women,[1]

Reaffirming the provisions concerning women migrant workers contained in the outcome documents of the World Conference on Human Rights,[2] the International Conference on Population and Development,[3] the Fourth World Conference on Women[4] and the World Summit for Social Development[5] and their five-year reviews,

Noting with appreciation the various activities initiated by entities of the United Nations system, such as the Regional Programme on Empowering Women Migrant Workers in Asia of the United Nations Development Fund for Women and the high-level panel discussion held by the Commission on the Status of Women at its fiftieth session on the gender dimensions of migration, as well as other activities through which the plight of women migrant workers continues to be assessed and alleviated,

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[1] See resolution 48/104.

[2] A/CONF.157/24 (Part I), chap. III.

[3] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[4] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[5] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

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Recalling the discussions during the Assembly's High-level Dialogue on International Migration and Development, held on 14 and 15 September 2006, which recognized, inter alia, the need for special protection for migrant women,

Recognizing the increasing participation of women in international migration, driven in large part by socio-economic reasons, and that this feminization of migration requires greater gender sensitivity in all policies and efforts related to the subject of international migration,

Stressing the shared responsibility of all stakeholders, including countries of origin and destination, relevant regional and international organizations, the private sector and civil society, in promoting an environment that prevents and addresses violence against women migrant workers,

Acknowledging the contribution that women migrant workers make to development through the economic benefits that accrue to both the country of origin and the country of destination,

Recognizing the disproportionate discrimination against women and children at all stages of the migration process,

Expressing deep concern at the continuing reports of grave abuses and violence committed against women migrant workers, including, inter alia, sexual and gender-based violence, trafficking, domestic and family violence, racist and xenophobic acts, abusive labour practices and exploitative conditions of work,

Realizing that the disadvantage that women migrant workers face is rooted in the intersection of gender, age, class and ethnic discrimination and stereotypes,

Noting with concern that many migrant women who are employed in the informal economy and in less skilled work are especially vulnerable to abuse and exploitation, and underlining in this regard the obligation of States to ensure respect for the human rights of those migrants,

Emphasizing the need for objective, comprehensive and broad-based information, possibly including a sex-disaggregated database for research and analysis, and a wide exchange of experience and lessons learned by individual Member States and civil society in the formulation of policies and concrete strategies to address the problem of violence against women migrant workers,

Realizing the vulnerability of women migrant workers throughout the migration process, from the moment of decision to migrate, to recruitment, transit, on-site work and integration into the new society, as well as during their return,

Recognizing the importance of joint and collaborative approaches and strategies at the bilateral, regional, interregional and international levels in protecting and promoting the rights and welfare of women migrant workers,

Recognizing also the importance of exploring the link between migration and trafficking in order to further efforts towards protecting women migrant workers from violence, discrimination, exploitation and abuse,

Encouraged by some measures adopted by some countries of destination to alleviate the plight of women migrant workers residing in their areas of jurisdiction, such as the establishment of protection mechanisms for migrant workers, facilitating

their access to mechanisms for reporting complaints or providing assistance during legal proceedings,

Underlining the important role of relevant United Nations treaty bodies in monitoring the implementation of human rights conventions and the relevant special procedures, within their respective mandates, in addressing the problem of violence against women migrant workers and in protecting and promoting their rights and welfare,

1. *Takes note with appreciation* of the report of the Secretary-General;[6]

2. *Takes note* of the reports of the Special Rapporteur on the human rights of migrants[7] and the Special Rapporteur on violence against women, its causes and consequences,[8] with regard to violence against women migrant workers, and encourages all special rapporteurs whose mandates relate to the subject of violence against women migrant workers to address the issue of violence against women migrant workers and their human rights, in particular the problems of gender-based violence and of discrimination, as well as trafficking in women;

3. *Notes* the findings contained in the World Survey on the Role of Women in Development, 2004: Women and International Migration,[9] including its recommendations for concrete actions aimed at helping to empower migrant women, including women migrant workers, and reducing their vulnerability to abuse;

4. *Requests* all Governments to continue to cooperate fully with the Special Rapporteurs mentioned in paragraph 2 above in the performance of their tasks and mandated duties, including by making available to them requested information on violence against women migrant workers and by reacting promptly to their urgent appeals, and encourages Governments to give serious consideration to inviting them to visit their countries;

5. *Calls upon* all Governments to ensure that legislation and policies on international migration and on labour and employment are rights-based and gender-sensitive, and do not reinforce discrimination and bias against women;

6. *Urges* concerned Governments to enhance bilateral, regional, interregional and international cooperation to address violence against women migrant workers, in accordance with internationally agreed human rights standards, as well as to strengthen efforts to reduce their vulnerability and to provide sustainable development alternatives to migration for survival;

7. *Also urges* concerned Governments, in particular those of the countries of origin and destination, in cooperation with non-governmental organizations, the private sector and other members of civil society, to strengthen the focus on and funding support for the prevention of violence against women migrant workers, in particular by promoting the access of women to meaningful and gender-sensitive information and education on, inter alia, the costs and benefits of migration, rights and benefits to which they are entitled in the countries of origin and employment, overall conditions in countries of employment and procedures for legal migration, as well as to ensure that laws and policies governing recruiters, employers and

[6] A/62/177.

[7] A/HRC/4/24 and Add.1-3.

[8] A/HRC/4/34 and Add.1-4.

[9] A/59/287 and Add.1; see also United Nations publication, Sales No. E.04.IV.4.

intermediaries promote adherence to and respect for the human rights of migrant workers, particularly women;

8. *Calls upon* concerned Governments, in particular those of the countries of origin and destination, to put in place penal and criminal sanctions to punish perpetrators of violence against women migrant workers, and redress and justice mechanisms that victims can access effectively, as well as to ensure that migrant women victims of violence do not suffer from re-victimization in the hands of the authorities;

9. *Urges* all States to adopt effective measures to put an end to the arbitrary arrest and detention of women migrant workers and to take action to prevent and punish any form of illegal deprivation of the liberty of women migrant workers by individuals or groups;

10. *Encourages* concerned Governments, in particular those of the countries of origin and destination, to formulate and implement training programmes for their law enforcers, immigration officers, prosecutors and service providers with a view to sensitizing those public sector workers to the issue of violence against women migrant workers and instilling in them the necessary skills and attitude to ensure the delivery of proper, professional and gender-sensitive interventions;

11. *Also encourages* concerned Governments to adopt or strengthen measures to protect the human rights of women migrant workers, regardless of their immigration status, including, inter alia, in policies that regulate the recruitment and deployment of women migrant workers and to consider expanding dialogue among States on devising innovative methods to promote legal channels of migration, inter alia, in order to deter illegal migration;

12. *Calls upon* Governments, in cooperation with non-governmental organizations, the private sector and other stakeholders, to provide victims of violence with the full range of immediate assistance and protection, such as counselling, legal and consular assistance, temporary shelter and other measures that will allow victims to be present during the judicial process, as well as to establish reintegration and rehabilitation schemes for returning women migrant workers;

13. *Invites* Governments, the United Nations system and non-governmental organizations to cooperate towards a better understanding of the issues concerning women and international migration, and to improve the collection, dissemination and analysis of data and information in order to assist in the formulation of gender-sensitive and rights-based migration and labour policies, as well as to aid in policy assessment;

14. *Encourages* concerned Governments, in particular those of the countries of origin, transit and destination, to avail themselves of the expertise of the United Nations, including the Statistics Division, the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women, to develop appropriate national data-collection and analysis methodologies that will generate comparable data and tracking and reporting systems on violence against women migrant workers;

15. *Encourages* Member States to consider signing and ratifying or acceding to relevant International Labour Organization conventions and to consider signing and ratifying or acceding to the International Convention on the Protection of the

Rights of All Migrant Workers and Members of Their Families,[10] the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children[11] and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[12] as well as all human rights treaties that contribute to the protection of the rights of women migrant workers;

16. *Encourages* the Committee on the Elimination of Discrimination against Women to further the momentum of its work in finalizing a general recommendation on women migrant workers;

17. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the problem of violence against women migrant workers and on the implementation of the present resolution, taking into account updated information from the organizations of the United Nations system, in particular the International Labour Organization, the United Nations Development Programme, the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women, and the International Organization for Migration, as well as the reports of the Special Rapporteurs mentioned in paragraph 2 above, and other relevant sources, including non-governmental organizations.

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[10] United Nations *Treaty Series*, vol. 2220, No. 39481.

[11] Resolution 55/25, annex II.

[12] Ibid., annex III.

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Advancement of women

Argentina, Armenia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Chile, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Gabon, Germany, Guatemala, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Luxembourg, Moldova, Monaco, Netherlands, New Zealand, Nigeria, Norway, Poland, Portugal, Romania, Serbia, Slovenia, Spain, Sweden, Switzerland, Thailand, the Former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania and Uruguay: draft resolution

Intensification of efforts to eliminate all forms of violence against women

The General Assembly,

Recalling its resolution 61/143 of 19 December 2006, entitled "Intensification of efforts to eliminate all forms of violence against women",

Deeply concerned about the pervasiveness of violence against women and girls in all its forms and manifestations worldwide, and reiterating the need to intensify efforts to prevent and eliminate all forms of violence against women and girls throughout the world,

Stressing that States have the obligation to promote and protect all human rights and fundamental freedoms of women and girls and must exercise due diligence to prevent, investigate and punish the perpetrators of violence against women and girls and to provide protection to the victims, and that failure to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms,

Expressing its appreciation for the high number of activities undertaken by the United Nations bodies, entities, funds and programmes and the specialized agencies to eliminate all forms of violence against women,

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1. *Takes note with appreciation* of the report of the Secretary-General entitled "Intensification of efforts to eliminate all forms of violence against women" pursuant to resolution 61/143;[1]

2. *Welcomes* the decision of the Secretary-General to spearhead a multi-year system-wide campaign to eliminate violence against women and girls through 2015, focusing on global advocacy, United Nations leadership and strengthened efforts and partnerships at the national and regional levels;

3. *Calls upon* all United Nations bodies, entities, funds, programmes and the specialized agencies, and invites the Bretton Woods institutions to intensify their efforts at all levels to eliminate all forms of violence against women and girls and to better coordinate their work, inter alia, through the Task Force on Violence against Women of the Inter-Agency Network on Women and Gender Equality;

4. *Urges* the Inter-Agency Network on Women and Gender Equality to intensify its efforts to enhance the effectiveness of the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women in order for it to operate as a system-wide funding mechanism for preventing and redressing all forms of violence against women and girls;

5. *Stresses* that within the United Nations system adequate resources should be assigned to those bodies, specialized agencies, funds and programmes responsible for the promotion of gender equality and women's rights and to efforts throughout the United Nations system to eliminate violence against women and girls, supports the commitment of the Task Force on Violence against Women to undertake a resource flow analysis to assess the available resources for this work and elaborate recommendations for their most effective and efficient use, and urges the United Nations system to respond swiftly to those recommendations once issued;

6. *Requests* the Secretary-General to intensify his efforts to develop and propose a set of possible indicators on violence against women, building on the work of the Special Rapporteur on violence against women, its causes and consequences, in order to assist States in assessing the scope, prevalence and incidence of violence against women, with a view to allowing its consideration by the Statistical Commission at the earliest possible time;

7. *Also requests* the Secretary-General, in his report to the sixty-third session of the General Assembly, containing, as requested in resolution 61/143, information provided by States on their follow-up activities to implement resolution 61/143, to include also information provided by the United Nations bodies, funds and programmes and specialized agencies on recent follow-up activities to implement resolution 61/143 and the present resolution, and urges United Nations bodies, entities, funds and programmes and the specialized agencies to contribute promptly to the report;

8. *Decides* to continue its consideration of this question at its sixty-third session under the item entitled "Advancement of women".

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[1] A/62/201.

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Albania, Argentina, Armenia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, the Dominican Republic, Estonia, Finland, France, Gabon, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Moldova, Monaco, Montenegro, Netherlands, New Zealand, Nigeria, Norway, Paraguay, Peru, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania and Uruguay: revised draft resolution

Intensification of efforts to eliminate all forms of violence against women

The General Assembly,

Recalling its resolution 61/143 of 19 December 2006, entitled "Intensification of efforts to eliminate all forms of violence against women",

Reaffirming the obligation of all States to promote and protect all human rights and fundamental freedoms, and reaffirming also that discrimination on the basis of sex is contrary to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women[1] and other international human rights instruments, and that its elimination is an integral part of efforts towards the elimination of all forms of violence against women,

Reaffirming also the Declaration on the Elimination of Violence against Women,[2] the Beijing Declaration and Platform for Action,[3] the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender

[1] United Nations, *Treaty Series*, vol. 1249, No. 20378.
[2] See resolution 48/104.
[3] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

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equality, development and peace for the twenty-first century",[4] and the declaration adopted at the forty-ninth session of the Commission on the Status of Women,[5]

Reaffirming further the international commitments in the field of social development and to gender equality and the advancement of women made at the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as those made in the United Nations Millennium Declaration[6] and at the 2005 World Summit, and noting the attention paid to the elimination of all forms of violence against indigenous women in the Declaration on the Rights of Indigenous Peoples adopted by the General Assembly in its resolution 61/295,

Recognizing that women's poverty and lack of empowerment, as well as their marginalization resulting from their exclusion from social policies and from the benefits of sustainable development, can place them at increased risk of violence, and that violence against women impedes the social and economic development of communities and States, as well as the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Deeply concerned about the pervasiveness of all forms of violence against women and girls in all its different forms and manifestations worldwide, and reiterating the need to intensify efforts to prevent and eliminate all forms of violence against women and girls throughout the world,

Stressing that States have the obligation to promote and protect all human rights and fundamental freedoms for all, including women and girls, and must exercise due diligence to prevent, investigate and punish the perpetrators of violence against women and girls, to eliminate impunity and to provide protection to the victims, and that failure to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms,

Expressing its appreciation for the high number of activities undertaken by the United Nations bodies, entities, funds and programmes and the specialized agencies to eliminate all forms of violence against women,

1. *Takes note* of the report of the Secretary-General entitled "Intensification of efforts to eliminate all forms of violence against women" pursuant to resolution 61/143;[7]

2. *Welcomes* the decision of the Secretary-General to spearhead a multi-year system-wide campaign to eliminate violence against women and girls through 2015, focusing on global advocacy, United Nations leadership and strengthened efforts and partnerships at the national and regional levels;

3. *Calls upon* the international community, including the United Nations system and, as appropriate, regional and subregional organizations, to support national efforts to promote the empowerment of women and gender equality in order

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[4] Resolution S-23/2, annex, and resolution S-23/3, annex.

[5] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2005/232.

[6] See resolution 55/2.

[7] A/62/201.

to enhance national efforts to eliminate violence against women and girls, including, upon request, in the development and implementation of national action plans on the elimination of violence against women and girls, through, inter alia, and taking into account, national priorities, official development assistance and other appropriate assistance, such as facilitating the sharing of guidelines, methodologies and best practices;

4. *Calls upon* all United Nations bodies, entities, funds and programmes and the specialized agencies and invites the Bretton Woods institutions to intensify their efforts at all levels to eliminate all forms of violence against women and girls and to better coordinate their work, inter alia, through the Task Force on Violence against Women of the Inter-Agency Network on Women and Gender Equality;

5. *Calls upon* the Inter-Agency Network on Women and Gender Equality to intensify its consideration of ways and means to enhance the effectiveness of the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women as a system-wide funding mechanism for preventing and redressing all forms of violence against women and girls;

6. *Stresses* that within the United Nations system adequate resources should be assigned to those bodies, specialized agencies, funds and programmes responsible for the promotion of gender equality and women's rights and to efforts throughout the United Nations system to eliminate violence against women and girls, supports the commitment of the Task Force on Violence against Women to undertake a resource flow analysis to assess the available resources for this work and elaborate recommendations for their most effective and efficient use, and calls upon the United Nations system to respond swiftly to those recommendations once issued;

7. *Requests* the Secretary-General to intensify his efforts to develop and propose a set of possible indicators on violence against women, building on the work undertaken by the Special Rapporteur on violence against women, its causes and consequences, in order to assist States in assessing the scope, prevalence and incidence of violence against women, with a view to allowing its consideration by the Commission on the Status of Women at its fifty-second session and by the Statistical Commission at the earliest;

8. *Also requests* the Secretary-General, to present an oral report to the Commission on the Status of Women at its fifty-second session and thereafter to the General Assembly at its sixty-third session with information provided by the United Nations bodies, funds and programmes and the specialized agencies on recent follow-up activities to implement resolution 61/143 and the present resolution, including activities related to the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women, and urges United Nations bodies, entities, funds and programmes and the specialized agencies to contribute promptly to the report.

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Democratic Republic of the Congo, Micronesia (Federated States of), Palau, Timor-Leste and United States of America: draft resolution

Eliminating the use of rape and other forms of sexual violence as instruments to achieve political or military objectives

The General Assembly,

Reaffirming the obligation of all States to promote and protect human rights and fundamental freedoms in accordance with the Charter of the United Nations, and guided by the purposes and principles of the Charter and the obligations imposed by human rights instruments,

Reaffirming also the obligations of States parties to the Convention on the Elimination of All Forms of Discrimination against Women,[1] the Convention on the Rights of the Child[2] and the International Convention on the Elimination of All Forms of Racial Discrimination,[3] as well as the goals, objectives and commitments of the Beijing Declaration and Platform for Action[4] and those contained in the outcome document of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century"[5] with respect to sexual violence and to women in armed conflict,

Recalling its previous resolutions on violence against women and violence against children and all other relevant resolutions, including Security Council resolutions 1325 (2000) of 31 October 2000 on women and Peace and Security, 1612 (2005) of 26 July 2005 on children affected by armed conflict and 1674 (2006) of 28 April 2006 on the protection of civilians in armed conflict, Commission on Human Rights resolution 2005/41 of 19 April 2005 on the elimination of violence

[1] United Nations, *Treaty Series*, vn. 1249, No. 20378.
[2] Ibid., vn. 1577, No. 27531.
[3] Ibid., vn. 660, No. 9464.
[4] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.
[5] Resolution S-23/2, annex, and resolution S-23/3, annex.

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against women,[6] and Subcommission on the Promotion and Protection of Human Rights resolution 2001/20 of 16 August 2001 on systematic rape, sexual slavery and slavery-like practices,[7]

Recalling also the inclusion of rape and other forms of gender-related crimes and crimes of sexual violence in the Rome Statute of the International Criminal Court,[8]

Recalling further the recognition by the ad hoc international criminal tribunals that rape can constitute a war crime or a crime against humanity,

Welcoming the initiative "Stop Rape Now: United Nations Action against Sexual Violence in Conflict",

Recognizing that violence against women is an offense against the dignity and integrity of the victim, which often inflicts serious physical and psychological harm, and that all forms of violence against women seriously violate and impair or nullify the enjoyment by women of all human rights and fundamental freedoms and constitute a major impediment to the ability of women to make use of their capabilities,

Recognizing also that violence against women is rooted in historically unequal power relations between men and women and that discrimination on the basis of sex is contrary to the Convention on the Elimination of Discrimination against Women and other human rights instruments,

Recognizing further that violence against women impedes the social and economic development of communities and States, as well as the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Expressing concern that civilians, particularly women and children, account for the vast majority of those adversely affected by armed conflict, including as refugees and internally displaced persons, and that they are increasingly targeted as such by combatants and other armed elements, and recognizing the consequent impact this has on durable peace and reconciliation,

Recognizing that rape and other forms of sexual violence to achieve military objectives are grave breaches of international humanitarian law,

Recognizing also that States bear primary responsibility for respecting and ensuring the human rights of all individuals, including their own citizens, within their territory and as provided by relevant international law,

Stressing that States have the obligation to promote and protect all human rights and fundamental freedoms of women and girls and to provide protection to the victims, that they must exercise due diligence in preventing and investigating violence against women and girls and must punish the perpetrators and that failure to do so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of the victims,

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[6] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigendum (E/2005/23 and Corr.1), chap. II, sect. A.

[7] E/CN.4/2002/2-E/CN.4/Sub.2/2001/40, chap. II, sect. A.

[8] United Nations, *Treaty Series*, vn. 2187, No. 38544.

Strongly condemning all acts of violence against women and girls, whether these acts are perpetrated by the State or by non-State actors, calling for the elimination of all forms of gender-based violence where perpetrated or condoned by the State and stressing the need to treat all forms of violence against women and girls as a criminal offence, punishable by law,

Stressing that States must never use or condone rape or other forms of sexual violence as instruments to achieve their political or military objectives,

Recognizing that rape or any other form of sexual violence used or condoned by a State is unlawful in all circumstances, whether or not it is committed within the territory of the State or is committed in the course of an international or non-international armed conflict, regardless of the sex or age of the victim,

Noting that when rape and other forms of sexual violence are used as instruments to achieve political or military objectives they are typically committed against women and girls who are associated with communities, ethnic groups or other groups regarded as antagonistic to or insufficiently supportive of the government or other entity whose forces commit the crime, and that they are frequently committed under circumstances, including in detention and jails, calculated to humiliate, dominate, instil fear in, disperse and/or forcibly relocate members of such groups, including, but not limited to, the victims and their families,

Deeply concerned that it has been increasingly acknowledged and documented that government forces in some countries and/or forces operating under the effective control or with the expressed or tacit approval of governments have raped women and girls on numerous occasions with impunity, including in the course of attempting to achieve political or military objectives,

Deeply concerned also that in cases where rape is used as an instrument to achieve government objectives the perpetrators rarely face any form of punishment, and that on the rare occasion when punishment is imposed it is rarely proportionate to the gravity of the crime,

Determined to bring an end to the practice of using rape and other forms of sexual violence as an instrument to achieve political or military objectives,

1. *Urges* States to:

(a) Take special measures to protect women and girls from gender-based violence, in particular rape and other forms of sexual violence;

(b) End impunity by ensuring that women have equal protection under the law and equal access to justice and by investigating, prosecuting and punishing those responsible for rape and other forms of sexual violence, including when the perpetrators are members of the government's own armed forces or other forces operating under the effective control or with the expressed or tacit approval of the government;

(c) Provide victims with access to appropriate health care, including sexual and reproductive health care, psychological care and trauma counselling, as well as to rehabilitation, social integration and all other necessary remedies;

(d) Develop and implement at all levels, as required, a comprehensive and integrated strategy of prevention and prosecution of rape, in particular when the

perpetrators are members of government or government-supported forces or operating under the effective control or with the expressed or tacit approval of the government, and to ensure that such a strategy includes the training of, inter alia, all relevant government and military personnel, in particular military commanders, law enforcement officials, judicial system personnel, health workers, teachers and social workers, as well as community leaders and the news media, in all appropriate aspects of the prevention and prosecution of rape and other forms of sexual violence and of protection and support for victims of such violence;

(e) Consider ratifying the Convention on the Elimination of All Forms of Discrimination against Women[1] and implementing the obligations contained therein, and take measures to implement fully the commitments of the Beijing Declaration and Platform for Action[4] and of the outcome document of the twenty-third special session of the General Assembly;[5]

(f) Increase significantly their voluntary financial support for activities related to the prevention and elimination of all forms of violence against women, the empowerment of women and gender equality carried out by the specialized agencies and the United Nations funds and programmes, including the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women;

2. *Calls upon* States and the United Nations system to:

(a) Monitor the progress in all parts of the world of efforts to address rape, including through the regular collection, analysis and dissemination of data, to facilitate such efforts and, in particular, to work towards overcoming the difficulties and challenges of collecting information on the practice;

(b) Integrate fully the needs of the victims of sexual violence into United Nations humanitarian assistance programmes;

3. *Urges* States, in cooperation with the private sector, non-governmental organizations and other civil society actors, as appropriate to:

(a) Conduct public education and awareness campaigns at the national and grass-roots levels in order to raise awareness about the causes and consequences of rape and other forms of sexual violence, in particular when they are used as instruments to achieve political or military objectives;

(b) Establish reception centres and shelters for victims, take other appropriate measures to promote and protect women's rights and provide protection, safe shelter, medical assistance, including sexual and reproductive health care, all necessary medications, including antiretroviral drugs and antibiotics, counselling for victims and their families, comprehensive information and education, legal aid, and rehabilitation and reintegration of victims and their offspring into society, in cooperation with State efforts towards protecting and supporting victims, maintaining due confidentiality and privacy of the victims and their families;

(c) Support programmes to eliminate rape and other forms of sexual violence, particularly the use of such violence as an instrument to achieve political or military objectives;

(d) Address the long-term consequences faced by victims of rape and other forms of sexual violence, including legal discrimination and social stigmatization, and the effects on children born as a consequence;

4. *Invites* non-governmental organizations and other civil society actors to:

(a) Advocate at the local, national, regional and international levels against rape and other forms of sexual violence as instruments to achieve political or military objectives, including through building and strengthening networks among those who may be in a position to provide information on its occurrence, and to call attention to its adverse consequences;

(b) Increase coordination and cooperation in addressing this problem and continue to present their observations and conclusions to governments;

5. *Requests* the Secretary-General to report to the sixty-third session of the General Assembly with respect to each country in which rape or other forms of sexual violence are being used as instruments to achieve political or military objectives on the nature and extent of the problem and the steps being taken to implement the present resolution, drawing upon the contributions of, as appropriate, the United Nations High Commissioner for Human Rights, the Special Representative of the Secretary-General for Children and Armed Conflict, the Special Rapporteur on violence against women, the Emergency Relief Coordinator, the special representatives of the Secretary-General in situations of conflict and post-conflict and all other relevant United Nations agencies, funds, programmes and organizations, including relevant special procedures and mechanisms.

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Estonia, Guatemala, Iceland, Jordan, Mexico, Norway, Republic of Korea and Sudan: draft resolution

United Nations Development Fund for Women

The General Assembly,

Recalling its resolution 39/125 of 14 December 1984, in which it established the United Nations Development Fund for Women as a separate and identifiable entity in autonomous association with the United Nations Development Programme, as well as its resolution 60/137 of 16 December 2005,

Reaffirming the Platform for Action adopted by the Fourth World Conference on Women[1] which recognizes the special role of the Fund in the promotion of the economic and political empowerment of women, and the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[2]

Emphasizing that implementation of the Beijing Platform for Action is essential to achieving the Millennium Development Goals,

Reaffirming the commitments to gender equality and the empowerment of women made at the Millennium Summit, the 2005 World Summit and other major United Nations summits, conferences and special sessions,

Reaffirming also the primary and essential role of the General Assembly and the Economic and Social Council, as well as the central role of the Commission on the Status of Women, in promoting the advancement of women and gender equality,

Reaffirming further all relevant resolutions of the General Assembly, the Economic and Social Council and the Commission on the Status of Women, as well as Security Council resolution 1325 (2000) of 31 October 2000 on women and peace and security,

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[1] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[2] Resolution S-23/2, annex, and resolution S-23/3, annex.

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Recognizing the importance of the Convention on the Elimination of All Forms of Discrimination against Women,[3] and noting that the number of States parties to the Convention is among the highest for human rights conventions,

Welcoming the contributions that the Fund has made in supporting initiatives of Member States, United Nations organizations and non-governmental organizations to formulate and implement activities that promote gender equality and the empowerment of women,

Recalling its resolution 59/250 of 22 December 2004 on the triennial comprehensive policy review of operational activities for development of the United Nations system, and stressing the need for all organizations of the United Nations development system to implement their global, regional and country-level activities in accordance with their mandates,

Recalling also Economic and Social Council agreed conclusions 1997/2 of 18 July 1997[4] and subsequent Council resolutions on mainstreaming a gender perspective into all policies and programmes in the United Nations system,[5]

Noting the importance of the work of the Consultative Committee on the United Nations Development Fund for Women in policy and programme directions, as stipulated in the annex to resolution 39/125,

Recognizing the ongoing intergovernmental consultation process on the recommendations of the High-level Panel on United Nations System-wide Coherence in the areas of development, humanitarian assistance and the environment, including those on gender equality and women's empowerment,

1. *Welcomes* decision 2007/35, adopted by the Executive Board of the United Nations Development Programme and of the United Nations Population Fund at its second regular session of 2007 on 14 September 2007, in which the Executive Board endorsed the strategic priorities and results set out in the UNIFEM strategic plan, 2008-2011;[6]

2. *Also welcomes* the note by the Secretary-General on the activities of the United Nations Development Fund for Women, containing the results-focused report of progress in implementing its multi-year funding framework 2004-2007;[7]

3. *Commends* the focus by the Fund on strategic programmes in its four key thematic areas of work, namely, enhancing women's economic security and rights, ending violence against women and reducing the prevalence of HIV/AIDS among women, achieving gender equality in democratic governance, and supporting innovative programming in the context of the Beijing Platform for Action[1] and commitments made at the twenty-third special session of the General Assembly[2] and at the forty-ninth session of the Commission on the Status of Women;[8]

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[3] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[4] See *Official Records of the General Assembly, Fifty-second Session, Supplement No. 3* (A/52/3/Rev.1), chap. IV, para. 4.

[5] 2001/41 of 26 July 2001, 2002/23 of 24 July 2002, 2003/49 of 24 July 2003, 2004/4 of 7 July 2004, 2005/31 of 26 July 2005, 2006/36 of 27 July 2006 and 2007/33 of 27 July 2007.

[6] DP/2007/45.

[7] A/62/188.

[8] See E/CN.6/2005/2 and Corr.1.

4. *Calls upon* Member States, intergovernmental bodies and the United Nations system to address the fragmentation and lack of adequate coordination, inadequate status, and under-resourcing of the existing gender entities which hamper the gender-equality work of the United Nations system both at Headquarters and at global, regional and national levels;

5. *Notes with appreciation* the coordination efforts between the United Nations Development Fund for Women and other funds, programmes and organizations of the United Nations system, as well as the Office of the Special Adviser on Gender Issues and Advancement of Women of the Department of Economic and Social Affairs of the Secretariat, the Division for the Advancement of Women and the International Research and Training Institute for the Advancement of Women, and calls upon those entities to strengthen their collaborative efforts;

6. *Calls upon* all organizations of the United Nations system, within their mandates, to mainstream a gender perspective and to pursue gender equality and the empowerment of women in their country programmes, planning instruments and sector-wide programmes and to articulate specific country-level goals and targets in this field in accordance with national development strategies, and to ensure systematic monitoring, evaluation and reporting while also facilitating the participation of women in these processes;

7. *Encourages* the Fund to continue to contribute to the harmonization and coordination processes of United Nations reform through, inter alia, strengthened partnerships with other funds, programmes and organizations of the United Nations system and through the promotion of development, including technical cooperation, women's human rights and a gender-equality perspective in the policies, guidelines and tools developed by the United Nations Development Group;

8. *Encourages* the participation of the Fund in relevant high-level inter-agency coordination mechanisms and calls upon the United Nations system to ensure the participation of relevant gender entities in system-wide cooperation in order to achieve better coordination with other United Nations bodies;

9. *Encourages* the Fund to support strengthened and coordinated action on gender equality at the country level, including by designating Fund representatives, where the Fund already has presence, with the authority to work with the concerned Governments to identify, formulate and execute programmes and projects, within the mandate of the Fund and in line with national priorities, and to enhance cooperation with, and active support for, resident coordinators for operational activities of the United Nations, on the understanding that this will not result in increased administrative expenditure for the Fund;

10. *Reiterates its call* to the United Nations development system to avail itself of the technical experience of the Fund and other gender specialist resources of the United Nations system to support enhanced programming and policies on gender equality and the empowerment of women at all levels;

11. *Encourages* Member States and United Nations organizations to further explore with the Fund possible innovative representational arrangements, including through the use of seconded staff, project offices and other means;

12. *Notes* the activities undertaken by the Fund in follow-up to resolution 60/137, to address the impact of armed conflict on women, to enhance the role of

women in peacebuilding, and to support the participation of women in peace processes, and urges the Fund to support a coordinated approach of the United Nations system, including cooperation, as appropriate, with relevant United Nations entities as well as Member States, regional organizations and other United Nations partners, to strengthen gender justice in transitional justice processes and in post-conflict recovery and reconstruction, to support the participation of women in post-conflict governance institutions, and to strengthen the capacity of the United Nations to prevent the use of sexual violence as a weapon in conflict, and provide adequate response to survivors of this violence;

13. *Emphasizes* the importance of the Trust Fund in Support of Actions to Eliminate Violence against Women, established by General Assembly resolution 50/166 of 22 December 1995, as an inter-agency mechanism to respond to the deep concern regarding the persistence of violence and crimes against women in all parts of the world expressed by the Assembly, which has urged the relevant United Nations bodies, entities, funds and programmes and specialized agencies to enhance the coordination of and intensify the support to States in their efforts to eliminate all forms of violence against women, and, while emphasizing the importance of enhancing the effectiveness of the Trust Fund, urges all Governments, non-governmental organizations and the public and private sectors to consider contributing or increasing contributions to the Trust Fund;

14. *Encourages* the Fund to continue to support the gender-equality and women's empowerment goals and targets of the Declaration of Commitment on HIV/AIDS adopted by the General Assembly at its twenty-sixth special session,[9] and the Political Declaration on HIV/AIDS adopted at the High-level Meeting on AIDS of the sixtieth session of the Assembly,[10] by working closely with women who are affected by or infected with HIV/AIDS to develop their capacity to influence programmes and policies, building on its partnerships within the United Nations system, in particular with the Joint United Nations Programme on HIV/AIDS (UNAIDS);

15. *Welcomes* the strengthened partnership with the United Nations Development Programme to facilitate the participation of the Fund in the work of the Joint Programme in order to avail its co-sponsors of the expertise of the Fund with respect to the gender dimensions of HIV/AIDS;

16. *Encourages* the Fund to respond to country requests for the development or strengthening of accountability mechanisms for gender equality, including by coordinating United Nations country team support to build the capacity of Governments to undertake gender-responsive budget analysis and to use sex-disaggregated data as a basis for gender-responsive public policy formulation;

17. *Also encourages* the Fund to continue to assist Governments in implementing the Convention on the Elimination of All Forms of Discrimination against Women,[3] in order to advance gender equality at all levels, including by reinforcing the cooperation between Governments and civil society, especially women's organizations, and by supporting efforts to follow up, as appropriate, the concluding comments of the Committee on the Elimination of Discrimination against Women;

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[9] Resolution S-26/2, annex.

[10] Resolution 60/262, annex.

18. *Calls upon* the Administrator of the United Nations Development Programme, in his role as Chair of the United Nations Development Group, to further clarify the lines of responsibility, especially between the Programme and the Fund, to ensure that the resident coordinator system and the United Nations country teams provide coherent support to countries on gender equality, and between the Fund and other United Nations Development Group member organizations, to ensure greater effectiveness in United Nations operational activities related to gender equality;

19. *Recognizes with appreciation* the increases in core contributions and, particularly, non-core contributions to the Fund made by Member States, private organizations and foundations, whose increased contributions demonstrate their commitment to the issues on which the Fund is working;

20. *Urges*, accordingly, Member States, non-governmental organizations and members of private organizations and foundations that have contributed to the Fund to continue to contribute and to consider increasing their financial contributions, and urges others that have not yet done so to consider contributing to the Fund to enable it to reach the targets for core resources, which are essential for ensuring the predictability and effective planning of its activities.

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Sixty-second session
Third Committee
Agenda item 63
Advancement of women

Estonia, Jordan, Mexico, Norway and Sudan: draft decision

Term of office of the members of the Consultative Committee on the United Nations Development Fund for Women

The General Assembly, mindful of the need to maintain the institutional memory of the Consultative Committee on the United Nations Development Fund for Women established by its resolutions 31/133 of 16 December 1976 and 39/125 of 14 December 1984, and taking note of the resignation, with effect on 31 December 2007, of two members of the Consultative Committee:

(a) Decides that the two new members of the Consultative Committee on the United Nations Development Fund for Women, who are to be designated by the President of the General Assembly in accordance with paragraph 13, of the annex to resolution 39/125, shall be granted a full term of three years, commencing on 1 January 2008 and ending on 31 December 2010, and that the remaining three members of the Consultative Committee will continue to serve their three-year terms through 31 December 2009;

(b) Also decides to include in the agenda of the sixty-second session of the General Assembly an item entitled "Appointment of the members of the Consultative Committee on the United Nations Development Fund for Women".

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Advancement of women

Mongolia: draft resolution

Improvement of the situation of women in rural areas

The General Assembly,

Recalling its resolutions 56/129 of 19 December 2001, 58/146 of 22 December 2003 and 60/138 of 16 December 2005,

Recalling also the importance attached to the problems of rural women in the Nairobi Forward-looking Strategies for the Advancement of Women,[1] the Beijing Declaration[2] and Platform for Action[3] adopted by the Fourth World Conference on Women, the outcome documents of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace",[4] including the ten-year review and appraisal of the implementation of the outcomes,[5] and the Convention on the Elimination of All Forms of Discrimination against Women,[6]

Recalling further the United Nations Millennium Declaration,[7] in which Member States resolved, inter alia, to promote gender equality and the empowerment of women as effective ways to combat poverty, hunger and disease and to stimulate development that is truly sustainable, and the 2005 World Summit Outcome,[8] in which they also resolved to promote gender equality and eliminate pervasive gender discrimination by taking all the necessary resolute action,

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[1] *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985* (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

[2] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[3] Ibid., annex II.

[4] Resolution S-23/2, annex, and resolution S-23/3, annex.

[5] See resolution 60/140.

[6] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[7] See resolution 55/2.

[8] See resolution 60/1.

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Welcoming the declaration adopted by the Commission on the Status of Women at its forty-ninth session in the context of the ten-year review and appraisal of the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly,[9]

Welcoming also the Monterrey Consensus of the International Conference on Financing for Development,[10] as well as the Johannesburg Declaration on Sustainable Development[11] and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[12] in which Governments were called upon to mainstream the gender perspective into development at all levels and in all sectors,

Welcoming further the ministerial declaration of the high-level segment of the substantive session of 2003 of the Economic and Social Council, adopted on 2 July 2003,[13] which stressed the need for rural development to become an integral part of national and international development policies and of activities and programmes of the United Nations system and called for enhanced role for rural women at all levels of rural development, including decision-making,

Recalling the Tunis Agenda for the Information Society,[14] adopted at the World Summit on the Information Society at its second phase, held in Tunis from 16 to 18 November 2005, which reaffirmed the commitment to building information and communications technology capacity and confidence in the use of such technology for all, including women, indigenous peoples and people living in remote and rural communities,

Recognizing the critical role and contribution of rural women, including indigenous women, in enhancing agricultural and rural development, improving food security and eradicating rural poverty,

Noting that some effects of globalization may deepen the socio-economic marginalization of rural women,

Noting also that the globalization process has had some benefits by providing opportunities for wage employment for rural women in new sectors,

Mindful of the fact that the available data and existing tools of measurement and analysis are insufficient for a full understanding of the gender implications of the processes of globalization and rural change and their impact on rural women,

Recognizing the urgent need to take appropriate measures aimed at further improving the situation of women in rural areas,

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[9] See *Official Records of the Economic and Social Council, 2005*, Supplement No. 7 and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A; see also ECOSOC decision 2005/232.

[10] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18-22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[11] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex.

[12] Ibid., resolution 2, annex.

[13] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 3* (A/58/3/Rev.1), chap. III, para. 35.

[14] See A/60/687.

1. *Takes note* of the report of the Secretary-General;[15]

2. *Invites* Member States, in collaboration with the organizations of the United Nations and civil society, as appropriate, to continue their efforts to implement the outcome of and to ensure an integrated and coordinated follow-up to United Nations conferences and summits, including their reviews, and to attach greater importance to the improvement of the situation of rural women, including indigenous women, in their national, regional and global development strategies by, inter alia:

(a) Creating an enabling environment for improving the situation of rural women and ensuring systematic attention to their needs, priorities and contributions, including through enhanced cooperation and a gender perspective, and their full participation in the development, implementation and monitoring of macroeconomic policies and programmes and poverty reduction strategies, including poverty reduction strategy papers based on the Millennium Development Goals;

(b) Pursuing the political and socio-economic empowerment of rural women and supporting their full and equal participation in decision-making at all levels, including through affirmative action, where appropriate, and support for women's organizations, labour unions and other associations and civil society groups promoting rural women's rights;

(c) Promoting consultation with and the participation of rural women, including indigenous women, through their organizations and networks, in the design, development and implementation of gender equality and rural development interventions;

(d) Integrating a gender perspective into the design, implementation, monitoring and evaluation of development policies and programmes, including budget policies, paying increased attention to the needs of rural women in order to ensure that they benefit from policies and programmes adopted in all spheres and that the disproportionate number of rural women living in poverty is reduced;

(e) Ensuring that the perspectives of rural women are taken into account and that they participate in the design, implementation, monitoring and evaluation of policies and activities related to emergencies, natural disasters, humanitarian assistance, peacebuilding and post-conflict reconstruction;

(f) Investing in and strengthening efforts to meet the basic needs of rural women through improved availability, access to and use of critical rural infrastructure, such as energy and transport, capacity-building and human resources development measures and the provision of a safe and reliable water supply and sanitation, nutritional programmes, affordable housing programmes, education and literacy programmes and health and social support measures, including in the area of sexual and reproductive health and HIV/AIDS treatment, care and support;

(g) Designing and implementing policies that promote and protect the enjoyment by rural women and girls of all human rights and fundamental freedoms and creating an environment that does not tolerate violations of their rights, including domestic violence, sexual violence and other forms of gender-based violence;

[15] A/62/202.

(h) Developing specific assistance programmes and advisory services to promote economic skills of rural women in banking, modern trading and financial procedures and providing microcredit and other financial and business services to a greater number of women in rural areas, in particular female-headed households, for their economic empowerment;

(i) Integrating increased employment opportunities for rural women into all international and national development strategies and poverty eradication strategies, including by expanding non-agricultural employment opportunities, improving working conditions and increasing access to productive resources;

(j) Considering adopting, where appropriate, national legislation to protect the knowledge, innovations and practices of women in indigenous and local communities relating to traditional medicines, biodiversity and indigenous technologies;

(k) Taking steps towards ensuring that women's unpaid work and contributions to on-farm and off-farm production, including income generated in the informal sector, are visible and supporting remunerative non-agricultural employment of rural women, improving working conditions and increasing access to productive resources;

(l) Addressing the lack of timely, reliable and sex-disaggregated data, including through intensifying efforts to include women's unpaid work in official statistics, and developing a systematic and comparative research base on rural women that will inform policy and programme decisions;

(m) Designing and revising laws to ensure that, where private ownership of land and property exists, rural women are accorded full and equal rights to own land and other property, including through the right to inheritance, and undertaking administrative reforms and other necessary measures to give women the same right as men to credit, capital, appropriate technologies and access to markets and information;

(n) Promoting programmes to enable rural women and men to reconcile their work and family responsibilities and to encourage men to share household and childcare responsibilities equally with women;

(o) Mobilizing resources, including at the national level and through official development assistance, for increasing women's access to existing savings and credit schemes, as well as targeted programmes that provide women with capital, knowledge and tools that enhance their economic capacities;

(p) Supporting a gender-sensitive education system that considers rural women's specific needs in order to eliminate gender stereotypes and discriminatory tendencies affecting them;

3. *Invites* the Commission on the Status of Women to continue to pay due consideration to the situation of rural women in the consideration of its priority themes;

4. *Invites* the relevant organizations and bodies of the United Nations system, in particular those dealing with issues of development, to address and support the empowerment of rural women and their specific needs in their programmes and strategies, including in the context of globalization;

5. *Stresses* the need to identify the best practices for ensuring that rural women have access to and full participation in the area of information and communication technologies, to address the priorities and needs of rural women and girls as active users of information and to ensure their participation in developing and implementing global, regional and national information and communications technology strategies;

6. *Invites* Member States, the United Nations and relevant organizations of its system to ensure that the needs of rural women are mainstreamed into the integrated process of follow-up to the major summits and conferences in the economic and social fields, in particular the Millennium Summit, the World Summit on Sustainable Development, the International Conference on Financing for Development, the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus, which is to be held in Doha in the second half of 2008, the 2005 review and appraisal of the progress achieved in implementing all the commitments made in the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly[4] and the 2005 World Summit;

7. *Invites* Member States to take into consideration the concluding comments and recommendations of the Committee on the Elimination of Discrimination against Women concerning their reports to the Committee when formulating policies and designing programmes focused on the improvement of the situation of rural women, including those to be developed and implemented in cooperation with relevant international organizations;

8. *Declares* that 15 October of each year shall be officially proclaimed and observed as the International Day of Rural Women;

9. *Requests* the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

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Advancement of women: advancement of women

Denmark: draft resolution

Convention on the Elimination of All Forms of Discrimination against Women

The General Assembly,

Recalling its resolution 60/230 of 23 December 2005 and its previous resolutions on the elimination of discrimination against women,

Bearing in mind that one of the purposes of the United Nations, as stated in Articles 1 and 55 of the Charter, is to promote universal respect for human rights and fundamental freedoms for all without distinction of any kind, including distinction as to sex,

Reiterating the need to intensify efforts to eliminate all forms of discrimination against women throughout the world,

Affirming that women and men should participate equally in social, economic and political development, should contribute equally to such development and should share equally in improved conditions of life,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[1] in which the Conference reaffirmed that the human rights of women and the girl child were an inalienable, integral and indivisible part of universal human rights,

Acknowledging the need for a comprehensive and integrated approach to the promotion and protection of the human rights of women, which includes the integration of the human rights of women into the mainstream of United Nations activities system-wide,

[1] A/CONF.157/24 (Part I), chap. III.

07-55186 (E) 221007

Reaffirming the commitments made in the political declaration[2] and the outcome document[3] of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century", in particular paragraphs 68 (c) and (d) concerning the Convention on the Elimination of All Forms of Discrimination against Women[4] and the Optional Protocol thereto,[5]

Recalling that, in the 2005 World Summit Outcome,[6] Heads of State and Government resolved to implement the Convention, reaffirming that gender equality and the promotion and protection of the full enjoyment of all human rights and fundamental freedoms for all are essential to advance development and peace and security,

Recognizing that the equal enjoyment by women of all human rights and fundamental freedoms will promote the realization of the rights of the child, bearing in mind the special needs of girls, and acknowledging the mutual reinforcement of the implementation of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child[7] and the Optional Protocols thereto,[8]

Noting that the 792nd meeting of the Committee, held on 23 July 2007, marked the twenty-fifth anniversary of the work of the Committee on the Elimination of Discrimination against Women, and welcoming the statement of the Committee to commemorate the occasion,[9]

Bearing in mind the recommendation of the Committee that national reports should contain information on the implementation of the Beijing Platform for Action,[10] in accordance with paragraph 323 of the Platform,

Having considered the reports of the Committee on its thirty-fourth, thirty-fifth and thirty-sixth[11] and thirty-seventh, thirty-eight and thirty-ninth[12] sessions,

Expressing concern at the great number of reports that are overdue (one hundred and eighty-seven), in particular initial reports, which constitutes an obstacle to the full implementation of the Convention,

1. *Welcomes* the report of the Secretary-General on the status of the Convention on the Elimination of All Forms of Discrimination against Women;[9]

2. *Also welcomes* the growing number of States parties to the Convention,[4] which now stands at one hundred and eighty-five, while expressing disappointment that universal ratification of the Convention was not achieved by 2000, and urges all States that have not yet ratified or acceded to the Convention to do so;

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[2] Resolution S-23/2, annex.

[3] Resolution S-23/3, annex.

[4] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[5] Ibid., vol. 2131, No. 20378.

[6] See resolution 60/1.

[7] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[8] Ibid., vol. 2171, No. 27531; and ibid., vol. 2173, No. 27531.

[9] See A/62/290.

[10] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[11] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 38* (A/61/38).

[12] Ibid., *Sixty-second Session, Supplement No. 38* (A/62/38).

3. *Further welcomes* the growing number of States parties to the Optional Protocol to the Convention, which now stands at eighty-eight, and urges other States parties to the Convention to consider signing and ratifying or acceding to the Optional Protocol;

4. *Urges* States parties to comply fully with their obligations under the Convention and the Optional Protocol thereto and to take into consideration the concluding comments as well as the general recommendations of the Committee on the Elimination of Discrimination against Women;

5. *Encourages* all relevant entities of the United Nations system, within their mandates, as well as Governments and intergovernmental and non-governmental organizations, in particular women's organizations, as appropriate, to strengthen assistance to States parties, upon their request, in implementing the Convention;

6. *Notes* that some States parties have modified their reservations, expresses satisfaction that some reservations have been withdrawn, and urges States parties to limit the extent of any reservations that they lodge to the Convention, to formulate any such reservations as precisely and as narrowly as possible, to ensure that no reservations are incompatible with the object and purpose of the Convention, to review their reservations regularly with a view to withdrawing them and to withdraw reservations that are contrary to the object and purpose of the Convention;

7. *Welcomes* the adoption by the Committee of revised reporting guidelines,[13] and urges States parties to adhere to the revised guidelines, in particular with regard to the content and length of reports;

8. *Recalls* the great number of overdue reports, in particular initial reports, and urges States parties to the Convention to make every possible effort to submit their reports on the implementation of the Convention in a timely manner, in accordance with article 18 thereof;

9. *Also recalls* its resolution 50/202 of 22 December 1995, in which it took note with approval of the amendment to article 20, paragraph 1, of the Convention, which has yet to enter into force;

10. *Strongly urges* States parties to the Convention to take appropriate measures so that acceptance of the amendment to article 20, paragraph 1, of the Convention by a two-thirds majority of States parties can be reached as soon as possible and the amendment can enter into force;

11. *Expresses its appreciation* for the efforts made by the Committee to improve the efficiency of its working methods, in particular pertaining to its meetings in parallel chambers following its fifth informal meeting held in Berlin from 2 to 4 May 2006;[14]

12. *Notes* decision 39/I of the Committee,[15] in which it requested the General Assembly to authorize an extension of its meeting time;

13. *Also notes* that a backlog of twenty-seven reports of States parties to be considered by the Committee persists;

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[13] Ibid., *Fifty-seventh Session, Supplement No. 38* (A/57/38), part two, annex.

[14] Ibid., *Sixty-first Session, Supplement No. 38* (A/61/38).

[15] Ibid., *Sixty-second session, Supplement No. 38* (A/62/38), part three, chap. I.

14. *Decides* to authorize the Committee to hold three annual sessions of three weeks each, with a one-week pre-sessional working group for each session, effective from January 2008 as a temporary measure, and to authorize three annual sessions of the Working Group on Communications under the Optional Protocol to the Convention;

15. *Also decides* to authorize the Committee to meet on an exceptional and temporary basis in 2008 and 2009 for up to seven days in parallel working groups during its third (July/August) annual session in 2008 and its third (July/August) annual session in 2009, taking due account of equitable geographical distribution, for the purpose of considering reports of States parties submitted under article 18 of the Convention;

16. *Urges* the Committee to evaluate progress, and decides to assess the situation with regard to the Committee's meeting time after two years, also taking into account the wider context of treaty body reform;

17. *Encourages* the Secretariat to extend further technical assistance to States parties, upon their request, to strengthen their capacity in the preparation of reports, in particular initial reports, and invites Governments to contribute to those efforts;

18. *Invites* States parties to make use of the technical assistance provided by the Secretariat to facilitate the preparation of reports, in particular initial reports;

19. *Encourages* the continued participation of members of the Committee in inter-committee meetings and meetings of persons chairing the human rights treaty bodies, including those on methods of work relating to the State reporting system;

20. *Encourages* the Committee, within its mandate, to continue to contribute to the efforts to strengthen cooperation and coordination between the treaty bodies;

21. *Requests* the Secretary-General, in accordance with General Assembly resolution 54/4 of 6 October 1999, to provide the resources, including staff and facilities, necessary for the effective functioning of the Committee within its full mandate, taking into account in particular the entry into force of the Optional Protocol to the Convention;

22. *Urges* Governments, organizations and bodies of the United Nations system and intergovernmental and non-governmental organizations to disseminate the Convention and the Optional Protocol thereto;

23. *Encourages* States parties to disseminate the concluding comments adopted in relation to the consideration of their reports, as well as the general recommendations of the Committee;

24. *Encourages* all relevant entities of the United Nations system to continue to build women's knowledge and understanding of and capacity to utilize human rights instruments, in particular the Convention and the Optional Protocol thereto;

25. *Urges* the specialized agencies, at the invitation of the Committee, to submit reports on the implementation of the Convention in areas falling within the scope of their activities;

26. *Welcomes* the contribution of non-governmental organizations to the work of the Committee;

27. *Invites* the Chairperson of the Committee on the Elimination of Discrimination against Women to address the General Assembly at its sixty-third and sixty-fourth sessions under the item on the advancement of women;

28. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the status of the Convention on the Elimination of All Forms of Discrimination against Women and the implementation of the present resolution.

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General Assembly

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Sixty-second session
Third Committee
Agenda item 66
Promotion and protection of the rights of children

Senegal: draft resolution

Support for efforts to end obstetric fistula

The General Assembly,

Reaffirming the Beijing Declaration[1] and Platform of Action,[2] the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[3] and the declaration adopted at the forty-ninth session of the Commission on the Status of Women,[4]

Reaffirming also the international commitments in the field of social development and to gender equality and the advancement of women made at the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as those made in the United Nations Millennium Declaration[5] and at the 2005 World Summit,[6]

Stressing the interlinkages between poverty, malnutrition, poor health services, early childbearing, violence against young women and girls and gender discrimination as root causes of obstetric fistula and the fact that, in this regard, poverty remains the main social risk factor because of its association with early marriage and malnutrition,

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[1] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[2] Ibid., annex II.

[3] Resolution S-23/2, annex, and S-23/3, annex.

[4] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A.

[5] See resolution 55/2.

[6] See resolution 60/1.

07-55429 (E) 221007

Recognizing that the difficult socio-economic conditions that exist in many developing countries, in particular the least developed countries, have resulted in the acceleration of the feminization of poverty,

Also recognizing that pregnancy and early motherhood entail complications during pregnancy and delivery and a risk of maternal mortality and morbidity that is much greater than average, and deeply concerned that early childbearing and limited access to the highest attainable standard of health, including sexual and reproductive health, including in the area of emergency obstetric care, cause high levels of obstetric fistula and maternal mortality and morbidity,

Further recognizing the serious immediate and long-term implications for health, including sexual and reproductive health, as well as increased vulnerability to HIV/AIDS, and the negative impact on psychological, social and economic development that violence against the girl child and adolescent girls represents for individuals, families, communities and States,

Deeply concerned about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access for girls to education and nutrition, and to reduced physical and mental health, in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys and in their often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence and harmful practices,

1. *Recognizes* the interlinkages between poverty, malnutrition, poor health services, early childbearing and gender discrimination as root causes of obstetric fistula, that, in this regard, poverty remains the main social risk factor because of its association with early marriage and malnutrition, that the eradication of poverty is critical to meeting the needs and protecting and promoting the rights of girls and that continued urgent national and international action is required to eliminate it;

2. *Stresses* the need to address the social issues that contribute to the problem of obstetric fistula, such as early pregnancy, lack of, or inadequate, education of girls and poverty and low status among women and girls;

3. *Also stresses* that States have the obligation to promote and protect all human rights and fundamental freedoms of women and girls, that they must exercise due diligence in order to prevent, investigate and punish the perpetrators of violence against women and girls and provide protection to the victims and that failure to do so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of women and girls;

4. *Calls upon* States to ensure that girls have equal access to complete, free and compulsory primary education of good quality and to renew their efforts to improve and expand girls' and women's education at all levels, including at secondary and higher levels, as well as vocational education and technical training, in order to, inter alia, achieve gender equality, the empowerment of women and poverty eradication;

5. *Urges* States to enact and strictly enforce laws to ensure that marriage is entered into only with the free and full consent of the intending spouses, in addition laws concerning the minimum legal age of consent and the minimum age for marriage, and to raise the minimum age for marriage where necessary;

6. *Calls upon* States and/or the relevant funds and programmes, organs and specialized agencies of the United Nations system, within their respective mandates, and invites the international financial institutions and all relevant actors of civil society, including non-governmental organizations and the private sector, to:

(a) Develop, implement and support national and international prevention, care and treatment strategies, as appropriate, to effectively address the condition of obstetric fistula and to further develop a multisectoral, multidisciplinary, comprehensive and integrated approach in order to bring about lasting solutions and put an end to obstetric fistula, maternal mortality and related morbidities, including through ensuring access to affordable, comprehensive, quality maternal health-care services, including skilled birth attendance and emergency obstetric care;

(b) Strengthen the capacity of health systems to provide the essential services needed to prevent obstetric fistula and to treat those cases that occur by providing the continuum of services, including family planning, antenatal care, skilled birth attendants, emergency obstetric care and post-partum care to young women and girls, including those living in poverty and in underserved rural areas where obstetric fistula is most common;

(c) Redouble their efforts to meet the internationally agreed upon goal of improving maternal health by increasing access to skilled attendance at birth and to emergency obstetric care;

(d) Provide essential health services, equipment and supplies and skills training and income-generating projects to young women and girls so they can break out of the cycle of poverty and have options beyond early marriage;

(e) Mobilize funding to provide free or subsidized fistula repairs, including by encouraging more networking among providers and the sharing of new treatment techniques and protocols;

(f) Provide health education and counselling, including medical counselling, as key components of post-operative care, and support social reintegration projects;

(g) Educate individual women and men, communities, policymakers and health professionals about how fistula can be prevented and treated and increase awareness of the needs of pregnant women and girls through working with community and religious leaders, traditional birth attendants, media, radio stations, influential public figures and policymakers, and support the training of doctors, nurses and other health workers in lifesaving obstetric care;

(h) Develop means of transportation that enable women and girls to access obstetric care and to access treatment and provide incentives to encourage more doctors and midwives to work in rural areas;

7. *Calls upon* the international community to support the United Nations Population Fund in establishing regional fistula treatment and training centres by identifying and supporting health facilities that have the potential to serve as centres for treatment, training and convalescent care;

8. *Encourages* communication and networking among existing fistula treatment centres to facilitate training, research, advocacy and the development of universal standards and fund-raising, and urges the international community to

address the shortages of trained doctors, space and supplies that limit the capacity of most of the fistula treatment centres;

9. *Urges* multilateral donors, and invites international financial institutions, within their respective mandates, and regional development banks to review and implement policies to support national efforts to ensure that a higher proportion of resources reach young women and girls, in particular in rural and remote areas;

10. *Invites* Member States to contribute to the Global Campaign to End Fistula of the United Nations Population Fund, the goal of which is to eliminate obstetric fistula by 2015, in line with the Millennium Development Goal to improve maternal health;

11. *Requests* the Secretary-General to report to the sixty-third session of the General Assembly on the implementation of the present resolution.

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General Assembly

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Sixty-second session
Third Committee
Agenda item 66
Promotion and protection of the rights of children

Senegal: draft resolution

Supporting efforts to end obstetric fistula

The General Assembly,

Reaffirming the Beijing Declaration[1] and Platform for Action,[2] the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century",[3] and the declaration adopted at the forty-ninth session of the Commission on the Status of Women,[4]

Reaffirming also the international commitments in the field of social development and to gender equality and the advancement of women made at the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as those made in the United Nations Millennium Declaration[5] and at the 2005 World Summit,[6]

Stressing the interlinkages between poverty, malnutrition, poor health services, early childbearing, violence against young women and girls and gender discrimination as root causes of obstetric fistula and the fact that, in this regard, poverty remains the main social risk factor because of its association with early marriage and malnutrition,

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* Reissued for technical reasons.

[1] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[2] Ibid., annex II.

[3] Resolution S-23/2, annex, and S-23/3, annex.

[4] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A.

[5] See resolution 55/2.

[6] See resolution 60/1.

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Recognizing that the difficult socio-economic conditions that exist in many developing countries, in particular the least developed countries, have resulted in the acceleration of the feminization of poverty,

Also recognizing that pregnancy and early motherhood entail complications during pregnancy and delivery and a risk of maternal mortality and morbidity that is much greater than average, and deeply concerned that early childbearing and limited access to the highest attainable standard of health, including sexual and reproductive health, including in the area of emergency obstetric care, cause high levels of obstetric fistula and maternal mortality and morbidity,

Further recognizing the serious immediate and long-term implications for health, including sexual and reproductive health, as well as increased vulnerability to HIV/AIDS, and the negative impact on psychological, social and economic development that violence against the girl child and adolescent girls represents for individuals, families, communities and States,

Deeply concerned about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access for girls to education, nutrition and physical and mental health and in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys and in their often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence and harmful practices,

1. *Recognizes* the interlinkages between poverty, malnutrition, poor health services, early childbearing and gender discrimination as root causes of obstetric fistula, that, in this regard, poverty remains the main social risk factor because of its association with early marriage and malnutrition, that the eradication of poverty is critical to meeting the needs and protecting and promoting the rights of girls and that continued urgent national and international action is required to eliminate it;

2. *Stresses* the need to address the social issues that contribute to the problem of obstetric fistula, such as early pregnancy, lack of or inadequate girls' education and poverty and low status of women and girls;

3. *Also stresses* that States have the obligation to promote and protect all human rights and fundamental freedoms of women and girls, that they must exercise due diligence in order to prevent, investigate and punish the perpetrators of violence against women and girls and provide protection to the victims and that failure to do so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of women and girls;

4. *Calls upon* States to ensure that girls have equal access to complete, free and compulsory primary education of good quality and to renew their efforts to improve and expand girls' and women's education at all levels, including at secondary and higher levels, as well as vocational education and technical training, in order to, inter alia, achieve gender equality, the empowerment of women and poverty eradication;

5. *Urges* States to enact and strictly enforce laws to ensure that marriage is entered into only with the free and full consent of the intending spouses and, in addition, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage, and to raise the minimum age for marriage where necessary;

6. *Calls upon* States and/or the relevant funds and programmes, organs and specialized agencies of the United Nations system, within their respective mandates, and invites the international financial institutions and all relevant actors of civil society, including non-governmental organizations and the private sector, to:

(a) Develop, implement and support national and international prevention, care and treatment strategies, as appropriate, to effectively address the condition of obstetric fistula and to further develop a multisectoral, multidisciplinary, comprehensive and integrated approach in order to bring about lasting solutions and put an end to obstetric fistula, maternal mortality and related morbidities, including through ensuring access to affordable, comprehensive, quality maternal health-care services, including skilled birth attendance and emergency obstetric care;

(b) Strengthen the capacity of health systems to provide the essential services needed to prevent obstetric fistula and to treat those cases that occur by providing the continuum of services, including family planning, antenatal care, skilled birth attendance, emergency obstetric care and post-partum care to young women and girls, including those living in poverty and in underserved rural areas where obstetric fistula is most common;

(c) Redouble their efforts to meet the internationally agreed upon goal of improving maternal health by increasing access to skilled attendance at birth and to emergency obstetric care;

(d) Provide essential health services, equipment and supplies and skills training and income-generating projects to young women and girls so they can break out of a cycle of poverty and have options beyond early marriage;

(e) Mobilize funding to provide free or subsidized fistula repairs, including through encouraging more networking among providers and the sharing of new treatment techniques and protocols;

(f) Provide health education and counselling, including medical counselling, as key components of post-operative care, and support social reintegration projects;

(g) Educate individual women and men, communities, policymakers and health professionals about how fistula can be prevented and treated and increase awareness of the needs of pregnant women and girls through working with community and religious leaders, traditional birth attendants, media, radio stations, influential public figures and policymakers, and support the training of doctors, nurses and other health workers in lifesaving obstetric care;

(h) Develop means of transportation that enable women and girls to access obstetric care and to access treatment and provide incentives to encourage more doctors and midwives to work in rural areas;

7. *Calls upon* the international community to support the United Nations Population Fund in establishing regional fistula treatment and training centres through identifying and supporting health facilities that have the potential to serve as centres for treatment, training and convalescent care;

8. *Encourages* communication and networking among existing fistula centres to facilitate training, research, advocacy and the development of universal standards and fund-raising, and urges the international community to address the

shortages of trained doctors, space and supplies that limit the capacity of most of the fistula centres;

9. *Urges* multilateral donors, and invites international financial institutions, within their respective mandates, and regional development banks to review and implement policies to support national efforts to ensure that a higher proportion of resources reach young women and girls, in particular in rural and remote areas;

10. *Invites* Member States to contribute to the United Nations Population Fund's Global Campaign to End Fistula with the goal of eliminating obstetric fistula by 2015, in line with the Millennium Development Goal targets to improve maternal health;

11. *Requests* the Secretary-General to report to the sixty-third session of the General Assembly on the implementation of the present resolution.

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Agenda item 66 (a)
Promotion and protection of the rights of children

Armenia, Belarus, Benin, Jordan, Oman, Qatar, the former Yugoslav Republic of Macedonia and Yemen: draft resolution

World Autism Awareness Day

The General Assembly,

Recalling the 2005 World Summit Outcome[1] and the United Nations Millennium Declaration,[2] as well as the outcomes of the major United Nations conferences and summits in the economic, social and related fields,

Recalling also the Convention on the Rights of the Child[3] and the Convention on the Rights of Persons with Disabilities,[4] according to which children with disabilities should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community, as well as the full enjoyment of all human rights and fundamental freedoms on an equal basis with other children,

Affirming that ensuring and promoting the full realization of all human rights and fundamental freedoms for all persons with disabilities is critical to achieving internationally agreed development goals,

Aware that autism is a lifelong developmental disability that manifests itself during the first three years of life and results from a neurological disorder that affects the functioning of the brain, mostly affecting children in many countries irrespective of gender, race or socio-economic status, and characterized by impairments in social interaction, problems with verbal and non-verbal communication and restrictive, repetitive behaviour, interests and activities,[5]

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[1] See resolution 60/1.
[2] See resolution 55/2.
[3] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[4] Resolution 61/106, annex I.
[5] *International Statistical Classification of Diseases and Related Health Problems*, Tenth Revision, F84.0 and F84.1; endorsed by the forty-third World Health Assembly in May 1990.

07-55500 (E) 221007

Deeply concerned by the prevalence and high rate of autism in children in all regions of the world and the consequent developmental challenges to long-term health care, education, training, and intervention programmes undertaken by Governments, non-governmental organizations and the private sector, as well as its tremendous impact on children, their families, communities and societies,

Recalling that early diagnosis and appropriate research and interventions are vital to the growth and development of the individual,

1. *Decides* to designate 2 April as World Autism Awareness Day, to be observed every year beginning in 2008;

2. *Invites* all Member States, relevant organizations of the United Nations system and other international organizations, as well as civil society, including non-governmental organizations and the private sector, to observe World Autism Awareness Day in an appropriate manner, in order to raise public awareness of autism;

3. *Encourages* Member States to take measures to raise awareness throughout the society, including at the family level, regarding children with autism;

4. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States and United Nations organizations.

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Sixty-second session
Third Committee
Agenda item 66 (a)
Promotion and protection of the rights of children

Zambia:* draft resolution

The girl child

The General Assembly,

Recalling its resolution 60/141 of 16 December 2005 and all relevant resolutions, including the agreed conclusions of the Commission on the Status of Women, in particular those relevant to the girl child,

Reaffirming the equal rights of women and men as enshrined in the Charter of the United Nations,

Reaffirming all human rights and other instruments relevant to the rights of the child, in particular the girl child, including the Convention on the Rights of the Child,[1] the Convention on the Elimination of All Forms of Discrimination against Women,[2] the Convention on the Rights of Persons with Disabilities,[3] and all their optional protocols,

Reaffirming the internationally agreed development goals, including the Millennium Development Goals, as well as the commitments relevant to the girl child contained in the 2005 World Summit Outcome,[4]

Reaffirming also the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[5] the Declaration of Commitment on HIV/AIDS adopted at the twenty-sixth special session of the General Assembly on HIV/AIDS, entitled "Global Crisis — Global Action",[6] and the 2006 Political Declaration on HIV/AIDS,[7]

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* On behalf of the Southern African Development Community.

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[2] Ibid., vol. 1249, No. 20378.

[3] Resolution 61/106, annex.

[4] See resolution 60/1.

[5] Resolution S-27/2, annex.

[6] Resolution S-26/2, annex.

[7] Resolution 60/262, annex.

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Reaffirming further all other relevant outcomes of major United Nations summits and conferences relevant to the girl child, as well as their five- and ten-year reviews, including the Beijing Declaration[8] and Platform for Action[9] adopted at the Fourth World Conference on Women, the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[10] the Programme of Action of the International Conference on Population and Development[11] and the Programme of Action of the World Summit for Social Development,[12] and welcoming the declaration adopted in 2005 by the Commission on the Status of Women at its forty-ninth session,[13]

Reaffirming the Dakar Framework for Action adopted at the World Education Forum, in 2000,[14]

Recognizing that girl children are more vulnerable and the need to achieve gender equality to ensure a just and equitable world for girls, including through partnering with men and boys as an important strategy for advancing the rights of the girl child,

Deeply concerned about discrimination against the girl child, including those with disabilities, and the violation of the rights of the girl child, which often result in less access for girls to education, nutrition and physical and mental health care and in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys and often being subjected to various forms of cultural, social, sexual and economic exploitation and abuse and to violence and harmful practices, such as female infanticide, rape, incest, early marriage, forced marriage, prenatal sex selection and female genital mutilation,

Deeply concerned also that female genital mutilation is an irreparable, irreversible harmful practice that affects more than one hundred and thirty million women and girls alive today and that each year a further two million girls are at risk of undergoing the harmful procedure,

Deeply concerned also that, in situations of poverty, war and armed conflict, girl children are among those most affected and furthermore become the victims of rape, sexual violence and abuse, and sexually transmitted diseases, including HIV/AIDS, which have a serious impact on the quality of their lives and leave them open to further discrimination, violence and neglect, limiting their potential for full development,

Emphasizing that increased access to education, including in the areas of sexual and reproductive health, for young people, especially girls, dramatically

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[8] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[9] Ibid., annex II.

[10] Resolution S-23/2, annex, and resolution S-23/3, annex.

[11] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[12] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex II.

[13] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A.

[14] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

lowers their vulnerability to preventable diseases, in particular HIV/AIDS infection and sexually transmitted diseases,

Concerned by the increasing number of child-headed households, in particular those headed by orphan girls, including those orphaned by the HIV/AIDS pandemic,

Deeply concerned that early childbearing and limited access to sexual and reproductive health care, including in the area of emergency obstetric care, causes high levels of obstetric fistula and maternal mortality and morbidity,

Convinced that racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls and can be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and limitation or denial of their human rights,

1. *Stresses* the need for full and urgent implementation of the rights of the girl child as guaranteed to her under all human rights instruments, including the Convention on the Rights of the Child,[1] the Convention on the Elimination of All Forms of Discrimination against Women,[2] the Convention on the Rights of Persons with Disabilities and all their optional protocols, and urges States to consider signing, ratifying or acceding to these human rights instruments;

2. *Urges* all States to take all necessary measures and to institute legal reforms to ensure the full and equal enjoyment by the girl child of all human rights and fundamental freedoms, including taking measures to remove barriers and any other discriminatory obstacles which hinder the girl child who is living with disabilities, and to take effective action against violations of those rights and freedoms;

3. *Urges* all Governments and the United Nations system to strengthen efforts bilaterally and with international organizations and private-sector donors in order to achieve the goals of the World Education Forum,[14] in particular that of eliminating gender disparities in primary and secondary education by 2005, which have not been fully met, and to implement the United Nations Girls' Education Initiative as a means of reaching this goal, and further calls for the implementation of and reaffirms the commitments contained in the United Nations Millennium Declaration,[4] particularly those related to education;

4. *Calls upon* all States to take measures to address the obstacles that continue to affect the achievement of the goals set forth in the Beijing Platform for Action,[9] as contained in paragraph 33 of the further actions and initiatives to implement the Beijing Declaration and Platform for Action,[15] where appropriate, including the strengthening of national mechanisms to implement policies and programmes for the girl child and, in some cases, to enhance coordination among responsible institutions for the realization of the human rights of girls, as indicated in the further actions and initiatives;

5. *Stresses* the importance of a substantive assessment of the implementation of the Beijing Platform for Action[9] with a life-cycle perspective so as to identify gaps and obstacles in the implementation process and to develop further actions for the achievement of the goals of the Platform for Action;

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[15] Resolution S-23/2, annex.

6. *Calls upon* all States and international and non-governmental organizations, individually and collectively, to implement further the Beijing Platform for Action,[10] in particular the strategic objectives relating to the girl child, and the further actions and initiatives,[15] and to mobilize all necessary resources and support in order to achieve the goals and strategic objectives and actions set out in the Beijing Declaration[9] and Platform for Action;[10]

7. *Urges* all States to promote gender equality and equal access to basic social services, such as education, nutrition, health care, including sexual and reproductive health care, vaccinations and protection from diseases representing the major causes of mortality, and to mainstream a gender perspective in all development policies and programmes relating to the girl child;

8. *Also urges* all States to enact and enforce legislation to protect girls from all forms of violence and exploitation, including female infanticide and prenatal sex selection, female genital mutilation, rape, domestic violence, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, trafficking and forced migration, forced labour, and early and forced marriage, and to develop age-appropriate safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence and discrimination;

9. *Urges* States to formulate comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to eliminate all forms of discrimination and violence against women and girls, which should be widely disseminated and should provide targets and timetables for implementation, as well as effective domestic enforcement procedures through the establishment of monitoring mechanisms involving all parties concerned, including consultations with women's organizations, giving attention to the recommendations relating to the girl child of the Special Rapporteurs of the Human Rights Council on violence against women, its causes and consequences, and on trafficking in persons, especially women and children;

10. *Urges* States to ensure that the right of children to express themselves and participate in all matters affecting them, in accordance with their age and maturity, is fully and equally enjoyed by girls;

11. *Recognizes* that a considerable number of vulnerable girl children, including orphans, children living on the street, internally displaced and refugee children, migrant children, children affected by trafficking and sexual and economic exploitation, children who are incarcerated, and children living without parental support, and urges States to take appropriate measures to address the needs of such children by implementing national policies and strategies to build and strengthen governmental, family and community capacities to provide a supportive environment for such children, including by providing appropriate counselling and psychosocial support, and ensuring their enrolment in school and access to shelter, good nutrition and health and social services on an equal basis with other children;

12. *Urges* all States and the international community to respect, protect and promote the rights of the girl child in pre-conflict, conflict and post-conflict situations, and further urges States to take special measures for the protection of girls, in particular to protect them from sexually transmitted diseases, such as HIV/AIDS, gender-based violence, including rape and sexual abuse, and sexual exploitation, torture, abduction and forced labour, refugee and displaced girls, in the

delivery of humanitarian assistance and disarmament, demobilization, rehabilitation assistance and reintegration processes;

13. *Deplores* all the cases of sexual exploitation and abuse of women and children, especially girls, in humanitarian crises, including those cases involving humanitarian workers and peacekeepers, and calls upon States and relevant organizations of the United Nations to take effective measures to address gender-based violence in humanitarian emergencies and to make possible all efforts to ensure that their laws and institutions are adequate to prevent, promptly investigate and prosecute acts of gender-based violence;

14. *Calls upon* Governments, civil society, including the media, and non-governmental organizations to promote human rights education and full respect for and the enjoyment of the human rights of the girl child, inter alia through the translation, production and dissemination of age-appropriate and gender-sensitive information material on those rights to all sectors of society, in particular to children;

15. *Requests* the Secretary-General, as Chairman of the United Nations System Chief Executives Board for Coordination, to ensure that all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme, the United Nations Population Fund, the United Nations Development Fund for Women, the World Health Organization, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees and the International Labour Organization, take into account the rights and the particular needs of the girl child in country programmes of cooperation in accordance with national priorities, including through the United Nations Development Assistance Framework;

16. *Requests* all human rights treaty bodies, special procedures and other human rights mechanisms of the Human Rights Council to adopt regularly and systematically a gender perspective in the implementation of their mandates and to include in their reports information on the qualitative analysis of violations of the human rights of women and girls, and encourages the strengthening of cooperation and coordination in that regard;

17. *Requests* States to ensure that, in all policies and programmes designed to provide comprehensive HIV/AIDS prevention, treatment, care and support, particular attention and support is given to the girl child at risk, infected with and affected by HIV/AIDS, including pregnant girls and young and adolescent mothers, as part of the global effort to scale up significantly towards achieving the goal of universal access to comprehensive prevention, treatment, care and support by 2010;

18. *Urges* States and the international community to dramatically increase resources at all levels, particularly in the education and health sectors, to enable young people, especially girls, to gain the knowledge, attitudes and skills that they need to prevent HIV/AIDS and to enjoy the highest attainable standard of physical and mental health, including sexual and reproductive health;

19. *Calls upon* the international community, the relevant United Nations entities and civil society to actively support, through the allocation of increased financial resources, targeted innovative programmes that address ending female genital mutilation, and for developing and providing education programmes and

sensitization workshops on the dire consequences on the health of the girl of this harmful practice, and to provide for those who perform the harmful procedure training programmes to adopt an alternate profession;

20. *Calls upon* States and the international community, to assist including by the allocation of adequate resources, national efforts to strengthen the capacity of health systems to provide essential services needed to prevent obstetric fistula and to treat those cases that occur by providing a continuum of services, including family planning, antenatal care, skilled birth attendants, emergency obstetric care and post-partum care to adolescent girls, including those living in poverty, and in or to under-served rural areas where obstetric fistula is most common;

21. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-fourth session on the implementation of the present resolution, including an emphasis on ending female genital mutilation, using information provided by Member States, the organizations and bodies of the United Nations system and non-governmental organizations, with a view to assessing the impact of the present resolution on the well-being of the girl child.

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Agenda item 66 (a)
Promotion and protection of the rights of children: promotion and protection of the rights of the child

Antigua and Barbuda, Argentina, Austria, Bahamas, Barbados, Belgium, Belize, Bolivia, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Ireland, Italy, Jamaica, Latvia, Lithuania, Luxembourg, Malta, Mexico, Netherlands, Nicaragua, Panama, Paraguay, Peru, Poland, Portugal, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Slovakia, Slovenia, Spain, Suriname, Sweden, Trinidad and Tobago, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of): draft resolution

Rights of the child

The General Assembly,

Recalling its previous resolutions on the rights of the child, the most recent of which is resolution 61/146 of 19 December 2006, and its resolution 60/141 of 16 December 2005, as well as Commission on Human Rights resolution 2005/44 of 19 April 2005,[1]

Emphasizing that the Convention on the Rights of the Child[2] must constitute the standard in the promotion and protection of the rights of the child, and bearing in mind the importance of the Optional Protocols to the Convention,[3] as well as other human rights instruments,

Reaffirming the Vienna Declaration and Programme of Action,[4] the United Nations Millennium Declaration[5] and the outcome document of the twenty-seventh

[1] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigendum (E/2005/23 and Corr.1), chap. II, sect. A.
[2] United Nations, *Treaty Series*, vol. 1579, No. 27531.
[3] Ibid., vol. 2171, No. 27531; and ibid., vol. 2173, No. 27531.
[4] A/CONF.157/24 (Part I), chap. III.
[5] See resolution 55/2.

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special session of the General Assembly on children, entitled "A world fit for children",[6] and recalling the Copenhagen Declaration on Social Development and the Programme of Action,[7] the Dakar Framework for Action adopted at the World Education Forum,[8] the Declaration on Social Progress and Development,[9] the Universal Declaration on the Eradication of Hunger and Malnutrition[10] and the Declaration on the Right to Development,[11]

Recognizing the importance of the integration of child rights issues into the follow-up of the outcome documents of all major United Nations conferences, special sessions and summits,

Taking note with appreciation of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly[12] and on the status of the Convention on the Rights of the Child and the issues raised in Assembly resolution 61/146,[13] as well as the report of the Chairperson of the Committee on the Rights of the Child,[14]

Recognizing the importance of incorporating a child-protection perspective across the human rights agenda, as highlighted in the outcome of the 2005 World Summit,

Taking note with appreciation of the attention paid to children in the Convention on the Rights of Persons with Disabilities[15] and in the International Convention for the Protection of All Persons from Enforced Disappearance,[16]

Also taking note with appreciation of the attention paid to children in the United Nations Declaration on the Rights of Indigenous Peoples,[17]

Profoundly concerned that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, pandemics, in particular HIV/AIDS, malaria and tuberculosis, environmental damage, natural disasters, armed conflict, foreign occupation, displacement, violence, terrorism, abuse, exploitation, trafficking in children and their organs, child prostitution, child pornography and child sex tourism, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, gender inequality,

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[6] Resolution S-27/2, annex.

[7] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[8] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

[9] See resolution 2542 (XXIV).

[10] *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[11] Resolution 41/128, annex.

[12] A/61/270.

[13] A/62/182.

[14] See *Official Records of the General Assembly, Sixty-second Session, Third Committee*, 14th meeting (A/C.3/62/SR.14).

[15] Resolution 61/106, annex I.

[16] Resolution 61/177, annex.

[17] Resolution 61/178, annex.

disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Reiterating that eradicating poverty is the greatest global challenge facing the world today and an indispensable requirement for sustainable development, in particular for developing countries, and recognizing that chronic poverty remains the single biggest obstacle to meeting the needs and protecting and promoting the rights of children, and that urgent national and international action is therefore required to eliminate it,

Reaffirming that democracy, development, peace and security, and the full and effective enjoyment of all human rights and fundamental freedoms are interdependent and mutually reinforcing and contribute to the eradication of extreme poverty,

Also reaffirming the need for mainstreaming a gender perspective in all policies and programmes relating to children, and recognizing the child as a rights holder in all policies and programmes relating to children,

Welcoming the holding of a commemorative high-level plenary meeting, which will take place on 11 and 12 December 2007, to evaluate progress made in the implementation of the Declaration and the Plan of Action contained in the document entitled "A world fit for children", recalling that particular attention must be paid to the protection and the rights of children living in poverty, and encouraging the inclusion of children and young people in delegations of Member States,

I
Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

1. *Reaffirms* that the general principles of, inter alia, the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children, including adolescents;

2. *Urges* States that have not yet done so to become parties to the Convention on the Rights of the Child[2] and the Optional Protocols thereto[3] as a matter of priority and to implement them fully by, inter alia, putting in place effective national legislation, policies and action plans, strengthening relevant governmental structures and ensuring adequate and systematic training in the rights of the child for all those working with and for children, as well as ensuring child rights education for children themselves;

3. *Urges* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing regularly other reservations with a view to withdrawing them in accordance with the Vienna Declaration and Programme of Action;[4]

4. *Calls upon* States to establish or strengthen national bodies, such as, inter alia, independent ombudspersons for children, where appropriate, or other institutions for the promotion and protection of the rights of the child;

5. *Welcomes* the work of the Committee on the Rights of the Child, and calls upon all States to strengthen their cooperation with the Committee, to comply in a timely manner with their reporting obligations under the Convention and the Optional Protocols thereto, in accordance with the guidelines elaborated by the

Committee and to take into account its recommendations on implementation of the Convention;

6. *Takes note with appreciation* of the initiatives undertaken by the Committee on the Rights of the Child aimed at promoting a better understanding of and fuller compliance with the rights enshrined in the Convention, namely through the organization of days of general discussion and the adoption of general comments;

7. *Requests* all relevant organs and mechanisms of the United Nations system regularly and systematically to incorporate a strong child rights perspective throughout all activities in the fulfilment of their mandates, as well as to ensure that their staff are trained in child rights matters, and calls upon States to continue to cooperate closely with all those organs and mechanisms, in particular the special rapporteurs and special representatives of the United Nations system;

8. *Encourages* States to strengthen their national statistical capacities and to use statistics disaggregated, inter alia, by age, gender and other relevant factors that may lead to disparities and other statistical indicators at the national, subregional, regional and international levels to develop and assess social policies and programmes so that economic and social resources are used efficiently and effectively for the full realization of the rights of the child;

II
Protection and promotion of the rights of the child and non-discrimination against children

Non-discrimination

9. *Calls upon* all States to ensure the enjoyment by children of all their civil, cultural, economic, political and social rights without discrimination of any kind;

10. *Notes with concern* the large number of children who are victims of racism, racial discrimination, xenophobia and related intolerance, stresses the need to incorporate special measures, in accordance with the principle of non-discrimination, the best interests of the child and respect for his or her views, in programmes to combat racism, racial discrimination, xenophobia and related intolerance, and calls upon States to provide special support and ensure equal access to services for all children;

11. *Calls upon* States to take all necessary and effective measures, including legal reforms where appropriate, to eliminate all forms of discrimination against girls and all forms of violence, including female infanticide and prenatal sex selection, rape, sexual abuse and harmful traditional or customary practices, including female genital mutilation, early marriage, marriage without the free and full consent of the intending spouses and forced sterilization, by enacting and enforcing legislation and, where appropriate, by formulating comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to protect girls;

12. *Also calls upon* States to take the necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities in both the public and the private spheres, including access to good

quality education and health care and protection from violence, abuse and neglect, and to develop and, where it already exists, to enforce legislation to prohibit discrimination against them in order to ensure their inherent dignity, promote their self-reliance and facilitate their active participation and integration in the community, taking into account the particularly difficult situation of children with disabilities living in poverty;

13. *Urges* all States to respect and promote the right of girls and boys to express themselves freely, to ensure that their views are given due weight, in accordance with their age and maturity, in all matters affecting them and to involve children, including children with special needs, in decision-making processes taking into account the evolving capacities of children and the importance of involving the representative organizations of children;

Registration, family relations and adoption or other forms of alternative care

14. *Once again urges* all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child[2] to preserve the child's identity, including nationality, name and family relations, as recognized by law, to allow for the registration of the child immediately after birth, to ensure that registration procedures are simple, expeditious and effective and provided at minimal or no cost and to raise awareness of the importance of birth registration at the national, regional and local levels;

15. *Encourages* States to adopt and enforce laws and improve the implementation of policies and programmes to protect children growing up without parents or caregivers, recognizing that, where alternative care is necessary, family- and community-based care should be promoted over placement in institutions, and in this context welcomes the ongoing process aimed at elaborating a set of United Nations guidelines for the appropriate use and conditions of alternative care for children, which are aimed at enhancing the implementation of the Convention and of other relevant legal international human rights instruments, regarding the protection and well-being of children who are in need of alternative care or who are at risk of becoming so;

16. *Calls upon* States to guarantee, to the extent consistent with the obligations of each State, the right of a child whose parents reside in different States to maintain, on a regular basis, save in exceptional circumstances, personal relations and direct contact with both parents by providing enforceable means of access and visitation in both States and by respecting the principle that both parents have common responsibilities for the upbringing and development of their children;

17. *Also calls upon* States to address and pay particular attention to cases of international parental or familial child abduction, and encourages States to engage in multilateral and bilateral cooperation to resolve these cases, preferably by accession to or ratification of the Hague Convention on the Civil Aspects of International Child Abduction,[18] and therefore to be in full compliance with the Convention, and to facilitate, inter alia, the return of the child to the country in which he or she resided immediately before the removal or retention;

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[18] United Nations, *Treaty Series*, vol. 1343, No. 22514.

18. *Further calls upon* States to take all necessary measures to prevent and combat illegal adoptions and all adoptions that are not in the best interests of the child;

Economic and social well-being of children

19. *Calls upon* States and the international community to create an environment in which the well-being of the child is ensured, including through strengthening international cooperation in this field;

Eradication of poverty

20. *Calls upon* States to cooperate, support and participate in the global efforts for poverty eradication at the global, regional and country levels, recognizing that strengthened availability and effective allocation of resources are required at all these levels, in order to ensure that all the internationally agreed development and poverty eradication goals, including those set out in the United Nations Millennium Declaration,[5] are realized within their time framework, and reaffirms that investments in children and the realization of their rights are among the most effective ways to eradicate poverty;

21. *Calls upon* each individual State, with whom rests the primary responsibility for ensuring an enabling environment for securing the well-being of children, and the international community to mobilize all necessary resources, support and efforts to eradicate poverty, according to national plans and strategies and in consultation with national Governments, including through an integrated and multifaceted approach based on the rights and well-being of children, and to continue their efforts to realize the internationally agreed development and poverty eradication goals, including the Millennium Development Goals;

Right to education

22. *Recognizes* the right to education on the basis of equal opportunity and non-discrimination by making primary education compulsory and available free to all children, ensuring that all children have access to education of good quality, as well as making secondary education generally available and accessible to all, in particular through the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, contribute to achieving equal opportunity and combating exclusion, and ensuring school attendance, in particular for girls and children from low-income families in order to achieve the objectives of Education For All, with the aim of realizing Millennium Development Goal 2;

23. *Takes note with appreciation* of the report of the Special Rapporteur on the right to education,[19] which is devoted to the right to inclusive education of persons with disabilities and, in this context, calls upon States to consider carefully the recommendations contained therein, namely to take steps towards ensuring an effective inclusive education system;

[19] A/HRC/4/29 and Add.1-3.

Right to the enjoyment of the highest attainable standard of health

24. *Calls upon* States:

(a) To take all necessary measures to ensure the right of the child to the enjoyment of the highest attainable standard of health and developing sustainable health systems and social services, to ensure access to such systems and services without discrimination, paying special attention to adequate food and nutrition, to access to safe drinking water and sanitation, to the special needs of male and female adolescents and to reproductive and sexual health, and to secure appropriate prenatal and post-natal care for mothers, including measures to prevent mother-to-child transmission of HIV and in this context to realize Millennium Development Goals 4, 5 and 6;

(b) To assign priority to developing and implementing activities and programmes aimed at treating and preventing addictions, in particular addiction to alcohol and tobacco, and the abuse of narcotic drugs, psychotropic substances and inhalants;

(c) To support adolescents to be able to deal positively and responsibly with their sexuality in order to protect themselves from HIV/AIDS infection and to implement measures to increase their capacity to protect themselves from HIV/AIDS through, inter alia, the provision of health care, including for sexual and reproductive health, and through preventive education that promotes gender equality;

(d) To develop and implement strategies, policies and programmes that identify and address those factors that make individuals particularly vulnerable to HIV infection in order to complement prevention programmes that address activities that place individuals at risk for HIV infection, such as risky and unsafe behaviour and injecting drug use;

(e) To promote initiatives aimed at reducing the prices of antiretroviral drugs, especially second-line drugs, available to boys and girls, including bilateral and private sector initiatives, as well as initiatives on a voluntary basis by groups of States, based on innovative financing mechanisms that contribute to the mobilization of resources for social development, including those that aim to provide further access to drugs at affordable prices to children in developing countries on a sustainable and predictable basis, and in this regard, notes the International Drug Purchase Facility, UNITAID;

(f) To design and implement programmes to provide social services and support to pregnant adolescents and adolescent mothers, in particular by enabling them and also the adolescent fathers to continue and complete their education;

Right to food

25. *Calls upon* all States to take immediate steps to eliminate child hunger, including through the adoption or strengthening of national programmes to address food security and adequate livelihoods, as well as nutritional security, especially in vitamin A, iron and iodine deficiencies, the promotion of breastfeeding, as well as programmes (for example school meals) that should ensure adequate nutrition for all children;

Children in particularly difficult situations

26. *Calls upon* all States to prevent violations of the rights of children working and/or living on the street, including discrimination, arbitrary detention and extrajudicial, arbitrary or summary executions, torture and all kinds of violence and exploitation, and to bring the perpetrators to justice, to adopt and implement policies for the protection, social and psychosocial rehabilitation and reintegration of those children and to adopt economic, social and educational strategies to address the problems of children working and/or living on the street;

27. *Also calls upon* all States to protect refugee, asylum-seeking and internally displaced children, in particular those who are unaccompanied, who are particularly exposed to violence and risks in connection with armed conflict, such as recruitment, sexual violence and exploitation, stressing the need for States as well as the international community to continue to pay more systematic and in-depth attention to the special assistance, protection and development needs of those children through, inter alia, programmes aimed at rehabilitation and physical and psychological recovery, and to programmes for voluntary repatriation and, wherever possible, local integration and resettlement, to give priority to family tracing and family reunification and, where appropriate, to cooperate with international humanitarian and refugee organizations, including by facilitating their work;

28. *Further calls upon* all States to ensure, for children belonging to minorities and vulnerable groups, including migrant children and indigenous children, the enjoyment of all human rights as well as access to health care, social services and education on an equal basis with others and to ensure that all such children, in particular victims of violence and exploitation, receive special protection and assistance;

29. *Calls upon* all States to address, as a matter of priority, the vulnerabilities faced by children affected by and living with HIV, by providing support and rehabilitation to those children and their families, women and the elderly, particularly in their role as caregivers, promoting child-oriented HIV/AIDS policies and programmes and increased protection for children orphaned and affected by HIV/AIDS, ensuring access to treatment and intensifying efforts to develop new treatments for children, and building, where needed, and supporting the social security systems that protect them;

30. *Also calls upon* all States to protect, in law and in practice, the inheritance and property rights of orphans, with particular attention to underlying gender-based discrimination, which may interfere with the fulfilment of these rights;

31. *Encourages* States to promote actions, including through bilateral and multilateral technical cooperation and financial assistance, for the social reintegration of children in difficult situations, considering, inter alia, views, skills and capacities that those children have developed in the conditions in which they lived and, where appropriate, with their meaningful participation;

Child labour

32. *Calls upon* all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development, to eliminate

immediately the worst forms of child labour, to promote education as a key strategy in this regard, including the creation of vocational training and apprenticeship programmes and the integration of working children into the formal education system, and to examine and devise economic policies, where necessary, in cooperation with the international community, that address factors contributing to these forms of child labour;

33. *Urges* all States that have not yet signed and ratified or acceded to the Convention concerning Minimum Age for Admission to Employment, 1973 (Convention No. 138) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182) of the International Labour Organization to consider doing so;

Children alleged to have or recognized as having infringed penal law

34. *Calls upon* all States, in particular those States in which the death penalty has not been abolished:

(a) To abolish by law, as soon as possible, the death penalty and life imprisonment without possibility of release for those under the age of 18 years at the time of the commission of the offence;

(b) To comply with their obligations as assumed under relevant provisions of international human rights instruments, including the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights;[20]

(c) To keep in mind the safeguards guaranteeing protection of the rights of those facing the death penalty and the guarantees set out in United Nations safeguards adopted by the Economic and Social Council;

35. *Also calls upon* all States to ensure that no child in detention is sentenced to forced labour or any form of cruel or degrading punishment, or deprived of access to and provision of health-care services, hygiene and environmental sanitation, education, basic instruction and vocational training;

Prevention and eradication of the sale of children, child prostitution and child pornography

36. *Calls upon* all States:

(a) To criminalize and penalize effectively all forms of sexual exploitation and sexual abuse of children, including all acts of paedophilia, including within the family or for commercial purposes, child pornography and child prostitution, child sex tourism, trafficking in children, the sale of children and the use of the Internet and other information and communication technologies for these purposes, and to take effective measures against the criminalization of children who are victims of exploitation;

(b) To ensure the prosecution and punishment of offenders, whether local or foreign, by the competent national authorities, either in the country in which the crime was committed, in the country of which the offender is a national or resident, in the country of which the victim is a national, or on any other basis permitted under domestic law, and for these purposes to afford one another the greatest

[20] See resolution 2200 A (XXI), annex.

measure of assistance and the necessary collaboration for the prevention, detection, investigations or criminal or extradition proceedings;

(c) To criminalize and penalize effectively the sale of children, including for the purposes of transfer of organs of the child for profit, to increase cooperation at all levels to prevent and dismantle networks trafficking or selling children and their organs and, for those States that have not yet done so, to consider signing and ratifying or acceding to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;[21]

(d) To give due consideration to the recommendations made by the Special Rapporteur on the human rights aspects of the victims of trafficking in persons, especially women and children, in her most recent report,[22] which was devoted to the subject of forced marriage in the context of trafficking in persons;

(e) In cases of trafficking in children, the sale of children, child prostitution, child pornography and child sex tourism, to address effectively the needs of victims, including their safety, legal assistance and protection, physical and psychological recovery and full reintegration into society, including through bilateral and multilateral technical cooperation and financial assistance;

(f) To combat the existence of a market that encourages such criminal practices against children, including through the adoption, effective application and enforcement of preventive, rehabilitative and punitive measures targeting customers or individuals who sexually exploit or sexually abuse children, as well as by ensuring public awareness;

(g) To give priority to the identification of norms and standards on the responsibilities of transnational corporations and other business enterprises, particularly those involved in information and communications technologies related to the respect of the rights of children, including the right to be protected from sexual abuse and exploitation, particularly in the virtual realm, as prohibited by the relevant international instruments and national legislation, and to outline basic measures to be taken for implementation;

(h) To mobilize public awareness concerning the protection of children against all forms of sexual exploitation and abuse, involving families and communities, with the participation of children;

(i) To contribute to the prevention and elimination of the sale of children, child prostitution and child pornography by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structures, dysfunctional families, lack of education, urban-rural migration, gender discrimination, criminal or irresponsible adult sexual behaviour, child sex tourism, organized crime, harmful traditional practices, armed conflicts and trafficking in children;

(j) To eliminate the demand that fosters all forms of exploitation that leads to trafficking, including sexual exploitation and the sex tourism demand;

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[21] Resolution 55/25, annex II.

[22] A/HRC/4/23 and addenda.

Children affected by armed conflict

37. *Strongly condemns* any recruitment or use of children in armed conflict contrary to international law, as well as other violations and abuses committed against children affected by armed conflict, and urges all States and other parties to armed conflict that are engaged in such practices to end them;

38. *Calls upon* States:

(a) When ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,[23] to raise the minimum age for voluntary recruitment of persons into the national armed forces from that set out in article 38, paragraph 3, of the Convention, bearing in mind that under the Convention persons under 18 years of age are entitled to special protection, and to adopt safeguards to ensure that such recruitment is not forced or coerced;

(b) To take all feasible measures to ensure that persons within their jurisdiction recruited or used in hostilities contrary to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict are demobilized or otherwise released from service and, when necessary, accord to such persons all appropriate assistance for their physical and psychological recovery and their social reintegration;

(c) To ensure that funding for rehabilitation and reintegration efforts for all children associated with armed forces and groups is adequate and timely, particularly in support of national initiatives, to secure the long-term sustainability of such efforts;

(d) To encourage the involvement of young people in activities concerning the protection of children affected by armed conflict, including programmes for reconciliation, peace consolidation, peacebuilding and children-to-children networks;

(e) To protect children affected by armed conflict, in particular from violations of international humanitarian law and human rights law and to ensure that they receive timely, effective humanitarian assistance, in accordance with international humanitarian law, including the Geneva Conventions of 12 August 1949,[24] and calls upon the international community to hold those responsible for violations accountable, inter alia, through the International Criminal Court;

(f) To take all feasible measures, in accordance with international humanitarian law and human rights law, as a matter of priority, to prevent the recruitment and use of children by armed groups, as distinct from the armed forces of a State, including the adoption of policies that do not tolerate the recruitment and use of children in armed conflict, and legal measures necessary to prohibit and criminalize such practices;

39. *Takes note* of the updating of the Cape Town Principles on child soldiers that lead to the Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups, encourages Member States to consider using the Guidelines to inform their work in protecting children from the affects of armed

[23] United Nations, *Treaty Series*, vol. 2173, No. 27531.

[24] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

conflicts, and requests the relevant entities of the United Nations system, within their mandates, and invites civil society, to assist Member States in this field;

40. *Reaffirms* the essential roles of the General Assembly, the Economic and Social Council and the Human Rights Council for the promotion and protection of the rights and welfare of children, including children affected by armed conflict, and notes the increasing role played by the Security Council in ensuring protection for children affected by armed conflict;

41. *Notes with appreciation* the steps taken regarding Security Council resolution 1612 (2005) of 26 July 2005 and the efforts of the Secretary-General to implement the monitoring and reporting mechanism on children and armed conflict in accordance with that resolution, with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level, as well as the work carried out by United Nations child protection advisers in peacekeeping operations;

42. *Notes with appreciation* the work of the Special Representative of the Secretary-General for Children and Armed Conflict, recognizes the progress achieved since the establishment of the mandate of the Special Representative, takes note of her report,[25] and looks forward to the continuation of her mandate in the future with due respect to resolution 60/231 of 23 December 2005;

43. *Takes note* of the report of the ten-year review[26] of the study by Graça Machel entitled "Impact of armed conflict on children",[27] calls upon Member States and invites relevant entities of the United Nations system as well as civil society, as appropriate, to carefully study its recommendations, and requests the Secretary-General to include their views in the comprehensive report to be elaborated in this regard;

III
Elimination of violence against children

44. *Welcomes* the report of the independent expert for the United Nations study on violence against children,[28] notes the very positive response to the study from Member States and the progress made in translating and disseminating widely the study, the complementary *World Report on Violence against Children*, prepared by the independent expert, and the innovative child-friendly version of the report and educational materials;

45. *Encourages* Member States, regional organizations and civil society, including non-governmental organizations, to continue to widely disseminate and follow up on the study;

46. *Urges* all Member States to exercise leadership to end all forms of violence against children and support advocacy in this regard at all levels, including at the local, national, regional and international levels, and by all sectors, especially by political, community and religious leaders, as well as the public and private sectors, the media and civil society;

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[25] A/62/228, part one.

[26] Ibid., part two.

[27] A/51/306 and Add.1.

[28] A/62/209.

47. *Requests* the relevant organizations of the United Nations system, in particular the organizations members of the Inter-Agency Group on Violence against Children, to continue to explore ways and means, within their respective mandates, by which they can contribute more effectively to addressing the need to prevent and to respond to all forms of violence against children;

48. *Calls upon* all relevant international and regional human rights mechanisms, as appropriate, including all relevant treaty bodies, in particular the Committee on the Rights of the Child and special procedures, to consider how most effectively to use their respective mandates to contribute to the elimination of violence against children;

49. *Condemns* all forms of violence against children, including physical, mental, psychological and sexual violence, torture and other cruel, inhuman or degrading treatment, child abuse and exploitation, hostage-taking, domestic violence, trafficking in or sale of children and their organs, paedophilia, child prostitution, child pornography, child sex tourism, gang-related violence, bullying and harmful traditional practices, and urges States to strengthen efforts to prevent and protect children from all such violence through a comprehensive approach and to develop a multifaceted and systematic framework, which is integrated into national planning processes, to respond to violence against children;

50. *Also condemns* the abduction of children, in particular extortive abduction and abduction of children in situations of armed conflicts, including for the recruitment and use of children in armed conflicts, and urges States to take all appropriate measures to secure their unconditional release, rehabilitation, reintegration and reunification with their families;

51. *Recognizes* the contribution of the International Criminal Court in ending impunity for the most serious crimes against children, including genocide, crimes against humanity and war crimes, and calls upon States not to grant amnesties for such crimes;

52. *Acknowledges* the contributions of the international criminal tribunals and special courts in ending impunity for the most serious crimes against children, including genocide, crimes against humanity and war crimes;

53. *Urges* all States:

(a) To take effective and appropriate legislative and other measures or, where they exist, strengthen legislation to prohibit and eliminate all forms of violence against children;

(b) To consider taking appropriate measures to assert the right of children to respect for their human dignity and physical integrity and to prohibit and eliminate any emotional or physical violence or any other humiliating or degrading treatment;

(c) To give priority attention to the prevention of all forms of violence against children and to addressing its underlying causes, through a systematic, comprehensive and multifaceted approach;

(d) To protect children from all forms of violence or abuse by all those who work with and for children, including in educational settings, as well as by government officials, such as the police, law enforcement authorities and employees and officials in detention centres or welfare institutions;

(e) To end impunity for perpetrators of crimes against children, investigate and prosecute such acts of violence and impose appropriate penalties, recognizing that persons convicted of violent offences, including sexual abuse of children, should be prevented from working with children;

(f) To ensure national research and documentation to identify vulnerable groups of children, inform policy and programmes at all levels and track progress and best practices towards preventing all forms of violence against children;

(g) To strive to change attitudes that condone or normalize any form of violence against children, including violent forms of discipline, harmful traditional practices and all forms of sexual violence;

(h) To take measures to promote constructive and positive forms of discipline and child development approaches in all settings, including the home, schools and other educational settings and throughout care and justice systems;

(i) To establish and develop safe, well-publicized, confidential and accessible mechanisms to enable children, their representatives and others to report violence against children as well as to file complaints in cases of violence against children;

(j) To address the gender dimension of all forms of violence against children and incorporate a gender perspective in all policies adopted and actions taken to protect children against all forms of violence, acknowledging that girls and boys face varying risks from different forms of violence at different ages and in different situations and, in this context, recalls the agreed conclusions of the Commission on the Status of Women at its fifty-first session, on the elimination of all forms of discrimination and violence against the girl child;[29]

(k) To further develop the capacity of all those who work with and for children and families to contribute to the elimination of all forms of violence against children, by investing in systematic education and training programmes, both initial and in-service, on preventing, detecting and responding to violence against children, and to formulate and implement norms, such as guidelines or codes of conduct, incorporating the rejection of all forms of violence against children;

(l) To ensure that all victims of violence have access to appropriate child-sensitive health and social services, by paying special attention to the gender-specific needs of girls and boys who are victims of violence;

54. *Recommends* that the Secretary-General appoint for a period of three years a Special Representative on violence against children, after which the mandate should be evaluated, and ensure that the necessary support is made available to the Special Representative for the effective performance of his/her mandate, and encourages the United Nations Children's Fund, the Office of the United Nations High Commissioner for Human Rights, the World Health Organization and the International Labour Organization to provide support to the Special Representative, including financial, and calls upon States and institutions concerned, and invites the private sector, to provide voluntary contributions for that purpose;

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[29] *Official Records of the Economic and Social Council, 2007, Supplement No. 7* (E/2007/27), chap. I, sect. A.

55. *Recommends* that the Special Representative:

(a) Act as a high-profile and independent global advocate to promote the prevention and elimination of all forms of violence against children, promoting the broad engagement of key actors concerned with violence against children, acting as a catalyst to stimulate the commitment of Member States and the civil society to prevent and respond to violence against children, keeping the issue high on the international agenda and maintaining the visibility of violence against children achieved through the process of the United Nations study on violence against children;

(b) Promote and support, in cooperation with Member States, the implementation of the recommendations of the United Nations study on violence against children, where appropriate, recommending measures, ways and means at the national, regional and international levels to eliminate violence against children and its causes and to remedy its consequences, promoting and ensuring country ownership of national plans and programmes in this regard;

(c) Identify and share good practices to prevent and respond to violence against children, between States and across regions, assist Member States in their efforts to develop more comprehensive and systematic data collection on violence against children, and ensure cross-fertilization of experiences between the various sectors addressing violence against children, including those focused on human rights, child protection, well being, development, public health and education;

(d) Work closely and cooperate fully with relevant United Nations human rights mechanisms and treaty bodies, including the Committee on the Rights of the Child and the Special Representative of the Secretary-General for Children and Armed Conflict, the Special Rapporteur on the sale of children, child prostitution and child pornography, the Special Rapporteur on violence against women and the Special Rapporteur on trafficking in persons, especially in women and children, within their respective mandates, building upon existing inter-agency structures, avoiding duplication and bearing in mind the ongoing process of the reviewing of mandates in the Human Rights Council;

(e) Also work closely and cooperate with the United Nations system and the existing mandates of United Nations funds and programmes and specialized agencies that have responsibilities in the area of violence against children;

(f) Establish a mutually supportive collaboration with non-governmental organizations, civil society and the private sector, and work to promote the increased involvement of children and young people in initiatives to prevent and respond to violence against children;

56. *Urges* Governments and requests the specialized agencies and the relevant United Nations organs that work in the area of violence against children, and regional, intergovernmental and non-governmental organizations, as well as the Committee on the Rights of the Child, other relevant human rights treaty bodies and human rights mechanisms of the United Nations, to cooperate with the Special Representative and to provide information on the measures adopted to ensure and respect the rights of children victims of violence;

57. *Requests* the Special Representative of the Secretary-General on violence against children to report annually to the General Assembly, the Human Rights

Committee and the Economic and Social Council, and to ensure that this reporting contains relevant, accurate and objective information on violence against children, taking into account the views of Member States, the outcome of the General Assembly at its special sessions on children and the United Nations study on violence against children, bearing in mind existing mandates and reports of relevant bodies;

IV
Follow-up

58. *Decides*:

(a) To request the Secretary-General to submit to the General Assembly, at its sixty-third session a report on the rights of the child, containing information on the status of the Convention on the Rights of the Child[2] and the issues contained in the present resolution;

(b) To request the Special Representative of the Secretary-General for Children in Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the progress achieved and the remaining challenges on the children and armed conflict agenda;

(c) To invite the Chairperson of the Committee on the Rights of the Child to present an oral report on the work of the Committee to the General Assembly at its sixty-third session as a way to enhance communication between the Assembly and the Committee;

(d) To continue its consideration of the question at its sixty-third session under the item entitled "Promotion and protection of the rights of children", focusing section III of the resolution on the rights of the child on "Child labour" in 2008 and "Child participation" in 2009.

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Third Committee
Agenda item 70 (a)
Promotion and protection of human rights: implementation of human rights instruments

Albania, Argentina, Armenia, Austria, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Bulgaria, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Luxembourg, Malaysia, Mexico, Moldova, Netherlands, New Zealand, Nigeria, Norway, Panama, Peru, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and the Bolivarian Republic of Venezuela: draft resolution

International Covenants on Human Rights

The General Assembly,

Recalling its resolution 60/149 of 16 December 2005 and Commission on Human Rights resolution 2004/69 of 21 April 2004,[1]

Mindful that the International Covenants on Human Rights[2] constitute the first all-embracing and legally binding international treaties in the field of human rights and, together with the Universal Declaration of Human Rights,[3] form the core of the International Bill of Human Rights,

Recalling the International Covenant on Economic, Social and Cultural Rights[2] and the International Covenant on Civil and Political Rights,[2] and reaffirming that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated, that they should be treated in a fair and equal manner, on the same footing and with the same emphasis, and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other rights,

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[1] *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[2] Resolution 2200 A (XXI), annex.

[3] Resolution 217 A (III).

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Recognizing the important role of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in examining the progress made by States parties in fulfilling the obligations undertaken in the International Covenants on Human Rights and the Optional Protocols to the International Covenant on Civil and Political Rights[4] and in providing recommendations to States parties on their implementation,

Considering that the effective functioning of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights is indispensable for the full and effective implementation of the International Covenants on Human Rights,

Noting the ongoing deliberations on the proposal to rectify the legal status of the Committee on Economic, Social and Cultural Rights,

Recognizing the importance of regional human rights instruments and monitoring mechanisms in complementing the universal system of promotion and protection of human rights,

1. *Reaffirms* the importance of the International Covenants on Human Rights[2] as major components of international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

2. *Strongly appeals* to all States that have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights[2] and the International Covenant on Civil and Political Rights,[2] and to consider as a matter of priority acceding to the Optional Protocols to the International Covenant on Civil and Political Rights[3] and making the declaration provided for in article 41 of the International Covenant on Civil and Political Rights, and, while acknowledging that additional States have recently become parties to these instruments, requests the Secretary-General to continue to support the annual treaty event to this end;

3. *Invites* the United Nations High Commissioner for Human Rights to intensify systematic efforts to encourage States to become parties to the International Covenants on Human Rights and, through the programme of advisory services in the field of human rights, to assist such States, at their request, in ratifying or acceding to the Covenants and to the Optional Protocols to the International Covenant on Civil and Political Rights with a view to achieving universal adherence;

4. *Calls for* the strictest compliance by States parties with their obligations under the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocols to the International Covenant on Civil and Political Rights;

5. *Emphasizes* that States must ensure that any measure to combat terrorism complies with their obligations under relevant international law, including their obligations under the International Covenants on Human Rights, and takes note with appreciation of the reports submitted by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism;[5]

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[4] Resolution 2200 A (XXI), annex, and resolution 44/128, annex.

[5] A/HRC/4/26, E/CN.4/2006/98, A/62/263, A/61/267 and A/60/370.

6. *Stresses* the importance of avoiding the erosion of human rights by derogation, and recalls that certain rights are recognized as non-derogable in any circumstances, underlines the exceptional and temporary nature of any such derogations, and that they must be in accordance with the conditions and procedures stipulated under article 4 of the International Covenant on Civil and Political Rights, bearing in mind the need for States parties to provide the fullest possible information during states of emergency so that the justification for the appropriateness of measures taken in those circumstances can be assessed, and in this regard takes note of General Comment No. 29 adopted by the Human Rights Committee;[6]

7. *Encourages* States parties to consider limiting the extent of any reservations that they lodge to the International Covenants on Human Rights and the Optional Protocols to the International Covenant on Civil and Political Rights, to formulate any reservations as precisely and narrowly as possible, and to regularly review such reservations with a view to withdrawing them so as to ensure that no reservation is incompatible with the object and purpose of the relevant treaty;

8. *Welcomes* the annual reports of the Human Rights Committee submitted to the General Assembly at its sixty-first[7] and sixty-second[8] sessions, and takes note of the General Comments adopted by the Committee, including the most recent, General Comment No. 32 on the right to equality before courts and tribunals and to a fair trial;[9]

9. *Also welcomes* the reports of the Committee on Economic, Social and Cultural Rights on its thirty-fourth and thirty-fifth sessions[10] and on its thirty-sixth and thirty-seventh sessions,[11] and takes note of the General Comments adopted by the Committee, including the most recent, General Comment No. 17 on the right of everyone to benefit from the protection of the moral and material interest resulting from any scientific, literary or artistic production of which he or she is an author,[12] and General Comment No. 18 on the right to work;[13]

10. *Expresses regret* at the number of States parties that have failed to fulfil their reporting obligations under the International Covenants on Human Rights, urges States parties to fulfil their reporting obligations on time and invites them to make use of the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents[14] when submitting reports, and urges States to attend and participate in the consideration of the reports by the Human Rights Committee and the Committee on Economic, Social and Cultural Rights when so requested;

11. *Urges* States parties to make use in their reports of sex-disaggregated data, and stresses the importance of integrating a gender perspective in the

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[6] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 40* (A/56/40), vol. I, annex VI.

[7] Ibid., *Sixty-first Session, Supplement No. 40* (A/61/40).

[8] Ibid., *Sixty-second Session, Supplement No. 40* (A/62/40).

[9] CCPR/C/GC/32.

[10] *Official Records of the Economic and Social Council, 2006, Supplement No. 2* (E/2006/22).

[11] Ibid., *2007, Supplement No. 2* (E/2007/22).

[12] E/C.12/GC/17.

[13] E/C.12/GC/18.

[14] HRI/GEN/2/Rev.4.

implementation of the International Covenants on Human Rights at the national level, including in the national reports of States parties and in the work of the Human Rights Committee and of the Committee on Economic, Social and Cultural Rights;

12. *Strongly encourages* States parties that have not yet submitted core documents to the Office of the United Nations High Commissioner for Human Rights to do so, and invites them to make use of the harmonized guidelines on reporting,[14] and also invites all States parties regularly to review and update their core documents while bearing in mind the current discussion on the elaboration of an expanded core document;

13. *Urges* States parties to take duly into account, in implementing the provisions of the International Covenants on Human Rights, the recommendations and observations made during the consideration of their reports by the Human Rights Committee and by the Committee on Economic, Social and Cultural Rights, and the views adopted by the Human Rights Committee under the first Optional Protocol to the International Covenant on Civil and Political Rights;[2]

14. *Urges* all States to publish the texts of the International Covenants on Human Rights and the Optional Protocols to the International Covenant on Civil and Political Rights in as many local languages as possible and to distribute them and make them known as widely as possible to all individuals within their territory and subject to their jurisdiction;

15. *Urges* each State party to give particular attention to the dissemination at the national level of their reports submitted to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights and, further, to translate, publish and make available as widely as possible to all individuals within its territory and subject to its jurisdiction by appropriate means the full text of the recommendations and observations made by the Committees after the examination of those reports;

16. *Reiterates* that States parties should take into account, in their nomination of members to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, that the Committees shall be composed of persons of high moral character and recognized competence in the field of human rights, consideration being given to the usefulness of the participation of some persons having legal experience, and to equal representation of women and men, and that members serve in their personal capacity, and also reiterates that, in the elections of the Committees, consideration shall be given to equitable geographical distribution of membership and to the representation of the different forms of civilization and of the principal legal systems;

17. *Invites* the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, when considering the reports of States parties, to continue to identify specific needs that might be addressed by United Nations departments, funds and programmes and the specialized agencies, including through the advisory services and technical assistance programme of the Office of the United Nations High Commissioner for Human Rights;

18. *Stresses* the need for improved coordination among relevant United Nations mechanisms and bodies in supporting States parties, upon their request, in implementing the International Covenants on Human Rights and the Optional

Protocols to the International Covenant on Civil and Political Rights, and encourages continued efforts in this direction;

19. *Expresses its appreciation* for the efforts made so far by the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to improve the efficiency of their working methods and encourages the Committees to pursue their efforts, welcomes in this regard the meetings held by the Committees and States parties to exchange ideas on how to render the working methods of the Committees more efficient, and encourages all States parties to continue to contribute to the dialogue with practical and concrete proposals and ideas on ways to improve the effective functioning of the Committees;

20. *Takes note with appreciation* of the reports of the Working Group on the Harmonization of the Working Methods of Treaty Bodies[15] and looks forward to the further deliberations in this regard;

21. *Takes note with appreciation* of the report of the Open-ended Working Group on an optional protocol to the International Covenant on Economic, Social and Cultural Rights on its fourth session[16] and encourages all parties to participate actively in the fifth session;

22. *Encourages* the specialized agencies that have not yet done so to submit their reports on the progress made in achieving the observance of the provisions of the International Covenant on Economic, Social and Cultural Rights, in accordance with article 18 of the Covenant, and expresses its appreciation to those that have done so;

23. *Encourages* the Secretary-General to continue to assist States parties to the International Covenants on Human Rights in the timely preparation of their reports, including by convening seminars or workshops at the national level for the training of government officials engaged in the preparation of such reports and by exploring other possibilities at the request of States, such as the programme of advisory services in the field of human rights and technical cooperation;

24. *Requests* the Secretary-General to ensure that the Office of the United Nations High Commissioner for Human Rights effectively assists the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in the implementation of their respective mandates by providing, inter alia, adequate Secretariat staff resources and conference and other relevant support services;

25. *Also requests* the Secretary-General to keep the General Assembly informed of the status of the International Covenants on Human Rights and the Optional Protocols to the International Covenant on Civil and Political Rights, including all reservations and declarations, through the United Nations websites.

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[15] HRI/MC/2007/2 and Add.1.

[16] A/HRC/6/8.